

tain a position of strength—demonstrable strength—so great as to leave no doubt that we can and will maintain the freedom of the seas.

A look at a globe shows clearly that there is a significant characteristic common to most of the nations of the free world. They border on the sea.

The free world is actually a maritime confederation. This confederation depends for its very existence upon the sea communications which bind it together. Cut off these communications and many countries of the free world would find themselves isolated without help, without supplies, without reinforcements, and at the mercy of some totalitarian aggressor.

From Scandinavia, all the way around to Japan, members of this maritime confederation depend on free world control of the sea for their support. And that is why our Navy's responsibility to control the seas has never been greater than it is today.

Our fleets are guarding the interests of the United States in the principal trouble spots of the world. A few weeks ago they were off the coast of Guatemala and Nicaragua. Today, trouble appears in southeast Asia. Tomorrow, the trouble areas may shift elsewhere.

But wherever trouble is brewing, the U.S. Navy will be first at the scene, ready for action. Our ships will stand guard in troubled waters, as long as it is in the interests of the United States to do so.

Our Navy can move on the oceans wherever it is needed. Our ships can operate on the high seas without raising any problems of foreign sovereignty. They carry the most powerful weapons, but in a quiet unprovoking manner. Our deployed fleets play a dual role. They offer assurance to friends and a warning to aggressors.

The U.S. Navy is ready today. It must be ready to fight and win, today or tomorrow, whenever it is called upon.

Keeping our Navy ready, keeping our Navy supreme on the seas, is everyone's job. Everyone in the U.S. Navy, from seaman to admiral, is working hard at the task of making a better, more effective Navy.

We also need the help of every citizen in the United States. We need their under-

standing of the tremendous problems we face. We need continued, enthusiastic support in our efforts, from all segments and sections of our Nation.

Many of you here tonight have already contributed tremendously to this task. That is why I welcome this occasion to express my personal and official appreciation to the National Business Press—and to industry which it serves so well—for all that they have contributed to the betterment of the Navy.

Scientists and engineers have helped us simplify the design of our weapons. They have helped us to eliminate unnecessary gadgets, to reduce costs, without sacrificing combat effectiveness.

Such contributions as these are particularly important, because weapons and weapons systems are getting more and more expensive and complex. Savings must be made in every way possible and simplicity in design and operation is vital because our new weapons are not going to be operated by scientists but by the same Navy men who have served their country so well in the past.

The technological progress that is being made today would not be possible without the active and enthusiastic support of manufacturers. The Navy will need that support to conduct research—to close the time-gap between ideas and actual hardware—to speed up our progress and our deliveries of weapons to the fleet—to stay at maximum readiness.

But readiness is not alone a matter of material. Readiness cannot be bought with money—for readiness is also a state of mind: It is the diligence and zeal of the scientist; it is the enthusiasm and wisdom of the teacher; it is the will and determination of all our citizens.

A sense of pride in one's work, a sense of urgency in personal accomplishment, the qualities of alertness, imagination, and competitive enterprise—these are the vital ingredients of national readiness.

These are the qualities which our Nation must have in the critical times ahead. I am confident that the people of the United States have these qualities in abundance, and that they will use them wisely and well.

Once again, thank you for the great honor which you have bestowed upon me. The

Silver Quill is an honor that I will always cherish and tonight is an evening that I will never forget.

Mr. Paul Wooton

EXTENSION OF REMARKS

OF

HON. OTTO E. PASSMAN

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 21, 1961

Mr. PASSMAN. Mr. Speaker, a few days ago when Mr. Paul Wooton, the distinguished senior Washington correspondent for the New Orleans (La.) Times-Picayune and the beloved and respected dean of the press corps in our Nation's Capital, passed to the other side of eternity, our country and my State lost a most valuable human asset.

During a full and fruitful lifespan of 79 years, Paul Wooton left his mark upon the times in which he lived. A gentleman in the fullest sense of the meaning of the word, he was an outstanding member of the Fourth Estate, respected and loved by his colleagues and close associates and sincerely admired by all who knew him well, and he was the personification of good citizenship at its best.

At funeral rites on Saturday, Mr. Wooton's minister paid tribute to his life and his work in this manner:

If you were a journalist he was what you would want to be, and as a man he was what you would want your son to become.

It was a great honor and privilege for me to have known Paul Wooton as a man and friend and newspaperman. And now, with a deep sense of personal loss, I join in extending my sympathy to his three surviving sisters and to his close associates and coworkers.

SENATE

WEDNESDAY, FEBRUARY 22, 1961

The Senate met at 12 o'clock meridian, and was called to order by the President pro tempore.

WALLACE F. BENNETT, a Senator from the State of Utah, offered the following prayer:

Our Father in heaven, we come before Thee on this anniversary of the birthday of the founder of this Nation, to participate in a traditional ceremony that has been observed in the Senate for many years since his death. In honoring him today, we honor ourselves; and, through honoring him, we honor Thee for the blessings which Thou didst bestow on him in the days of his service to this Nation.

The problems he faced were much the same as the ones we face today; only the circumstances are different. These problems grow essentially out of the weakness of man; and their solution must be found in the strength that man can draw from the inspiration received

from Thee and received from men such as George Washington.

As we face our responsibilities, we ask that Thou wilt bless us, in our turn, as he was blessed. Bless us, we pray, that we may draw inspiration from his example, and may draw strength from the record of his strength. We realize that, essentially, all his strength came from Thee; and we seek Thee as our source of strength in our time of need.

Bless us, we pray, that we may be able to preserve the haven of peace and liberty which he helped to create.

We ask these blessings in the name of Thy Son, Jesus Christ. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Monday, February 20, 1961, was dispensed with.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, informed the Senate that, pursuant to section 8002 of the Internal

Revenue Code of 1954, the chairman of the Ways and Means Committee had appointed Mr. MILLS, of Arkansas, Mr. KING, of California, Mr. O'BRIEN, of Illinois, Mr. MASON, of Illinois, and Mr. BYRNES, of Wisconsin as members of the Joint Committee on Internal Revenue Taxation, on the part of the House.

The message also informed the Senate that, pursuant to the provisions of section 1, Public Law 86-42, the Speaker had appointed Mr. DONOHUE, of Massachusetts, and Mr. MURPHY, of Illinois, as members of the U.S. delegation of the Canada-United States Interparliamentary Group, vice Mr. YATES and Mr. IKARD of Texas, excused.

LIMITATION OF DEBATE DURING MORNING HOUR

Mr. MANSFIELD. Mr. President, at the conclusion of the reading of the Farewell Address by our first President, there will be the usual morning hour. I ask unanimous consent that statements in connection therewith be limited to 3 minutes.

The PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER FOR ADJOURNMENT TO FRIDAY AND THEN TO TUESDAY

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate concludes its session today, it adjourn to meet at 12 o'clock noon on Friday next.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, after consultation with the distinguished minority leader, I ask unanimous consent that at the conclusion of the session on Friday, the Senate adjourn to meet at 12 o'clock noon on Tuesday next.

The PRESIDENT pro tempore. Without objection, it is so ordered.

MEMORIAL ADDRESSES ON FRIDAY FOR SENATOR HENNINGS AND SENATOR-ELECT THOMSON

Mr. MANSFIELD. Mr. President, for the information of the Senate, I wish to call to the attention of my colleagues the fact that the Senate has entered into an agreement that on Friday next, memorial addresses for the late Senator Thomas Hennings and the late Senator-elect Keith Thomson will be delivered in this Chamber.

CALL OF THE ROLL

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DIRKSEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDENT pro tempore. Without objection, it is so ordered.

READING OF WASHINGTON'S FAREWELL ADDRESS

The PRESIDENT pro tempore. Under the agreement previously entered into, the senior Senator from Maryland [Mr. BUTLER] will now proceed to the rostrum, to read the Farewell Address delivered by the first President of the United States.

Mr. BUTLER advanced to the desk, and read the Farewell Address, as follows:

To the people of the United States:

FRIENDS AND FELLOW CITIZENS: The period for a new election of a citizen to administer the executive government of the United States being not far distant, and the time actually arrived when your thoughts must be employed in designating the person who is to be clothed with that important trust, it appears to me proper, especially as it may conduce to a more distinct expression of the public voice, that I should now apprise you of the resolution I have formed, to decline being considered among the number of those, out of whom a choice is to be made.

I beg you, at the same time, to do me the justice to be assured, that this resolution has not been taken, without a

strict regard to all the considerations appertaining to the relation which binds a dutiful citizen to his country; and that, in withdrawing the tender of service which silence in my situation might imply, I am influenced by no diminution of zeal for your future interest; no deficiency of grateful respect for your past kindness; but am supported by a full conviction that the step is compatible with both.

The acceptance of, and continuance hitherto in the office to which your suffrages have twice called me, have been a uniform sacrifice of inclination to the opinion of duty, and to a deference for what appeared to be your desire. I constantly hoped that it would have been much earlier in my power, consistently with motives which I was not at liberty to disregard, to return to that retirement from which I had been reluctantly drawn. The strength of my inclination to do this, previous to the last election, had even led to the preparation of an address to declare it to you; but mature reflection on the then perplexed and critical posture of our affairs with foreign nations, and the unanimous advice of persons entitled to my confidence, impelled me to abandon the idea.

I rejoice that the state of your concerns, external as well as internal, no longer renders the pursuit of inclination incompatible with the sentiment of duty or propriety; and am persuaded, whatever partiality may be retained for my services, that in the present circumstances of our country, you will not disapprove my determination to retire.

The impressions with which I first undertook the arduous trust, were explained on the proper occasion. In the discharge of this trust, I will only say that I have, with good intentions, contributed towards the organization and administration of the government, the best exertions of which a very fallible judgment was capable. Not unconscious in the outset, of the inferiority of my qualifications, experience, in my own eyes, perhaps still more in the eyes of others, has strengthened the motives to diffidence of myself; and, every day, the increasing weight of years admonishes me more and more, that the shade of retirement is as necessary to me as it will be welcome. Satisfied that if any circumstances have given peculiar value to my services they were temporary, I have the consolation to believe that, while choice and prudence invite me to quit the political scene, patriotism does not forbid it.

In looking forward to the moment which is to terminate the career of my political life, my feelings do not permit me to suspend the deep acknowledgment of that debt of gratitude which I owe to my beloved country, for the many honors it has conferred upon me; still more for the steadfast confidence with which it has supported me; and for the opportunities I have thence enjoyed of manifesting my inviolable attachment, by services faithful and persevering, though in usefulness unequal to my zeal. If benefits have resulted to our country from these services, let it always be remembered to your praise, and as an in-

structive example in our annals, that under circumstances in which the passions, agitated in every direction, were liable to mislead amidst appearances sometimes dubious, vicissitudes of fortune often discouraging—in situations in which not unfrequently want of success has countenanced the spirit of criticism, the constancy of your support was the essential prop of the efforts, and a guarantee of the plans, by which they were effected. Profoundly penetrated with this idea, I shall carry it with me to my grave, as a strong incitement to unceasing vows that heaven may continue to you the choicest tokens of its beneficence—that your union and brotherly affection may be perpetual—that the free constitution, which is the work of your hands, may be sacredly maintained—that its administration in every department may be stamped with wisdom and virtue—that, in fine, the happiness of the people of these states, under the auspices of liberty, may be made complete by so careful a preservation, and so prudent a use of this blessing, as will acquire to them the glory of recommending it to the applause, the affection and adoption of every nation which is yet a stranger to it.

Here, perhaps, I ought to stop. But a solicitude for your welfare, which cannot end but with my life, and the apprehension of danger, natural to that solicitude, urge me, on an occasion like the present, to offer to your solemn contemplation, and to recommend to your frequent review, some sentiments which are the result of much reflection, of no inconsiderable observation, and which appear to me all important to the permanency of your felicity as a people. These will be offered to you with the more freedom, as you can only see in them the disinterested warnings of a parting friend, who can possibly have no personal motive to bias his counsel. Nor can I forget, as an encouragement to it, your indulgent reception of my sentiments on a former and not dissimilar occasion.

Interwoven as is the love of liberty with every ligament of your hearts, no recommendation of mine is necessary to fortify or confirm the attachment.

The unity of government which constitutes you one people, is also now dear to you. It is justly so; for it is a main pillar in the edifice of your real independence; the support of your tranquility at home; your peace abroad; of your safety; of your prosperity; of that very liberty which you so highly prize. But as it is easy to foresee that, from different causes and from different quarters much pains will be taken, many artifices employed, to weaken in your minds the conviction of this truth, as this is the point in your political fortress against which the batteries of internal and external enemies will be most constantly and actively (though often covertly and insidiously) directed; it is of infinite moment, that you should properly estimate the immense value of your national union to your collective and individual happiness; that you should cherish a cordial, habitual, and immovable attachment to it; accustoming yourselves to think and speak of it as the palladium

of your political safety and prosperity; watching for its preservation with jealous anxiety; discountenancing whatever may suggest even a suspicion that it can, in any event, be abandoned; and indignantly frowning upon the first dawning of every attempt to alienate any portion of our country from the rest, or to enfeeble the sacred ties which now link together the various parts.

For this you have every inducement of sympathy and interest. Citizens by birth, or choice, of a common country, that country has a right to concentrate your affections. The name of American, which belongs to you in your national capacity, must always exalt the just pride of patriotism, more than any appellation derived from local discriminations. With slight shades of difference, you have the same religion, manners, habits, and political principles. You have, in a common cause, fought and triumphed together; the independence and liberty you possess, are the work of joint councils, and joint efforts, of common dangers, suffering, and successes.

But these considerations, however powerfully they addressed themselves to your sensibility, are greatly outweighed by those which apply more immediately to your interest.—Here, every portion of our country finds the most commanding motives for carefully guarding and preserving the union of the whole.

The *north*, in an unrestrained intercourse with the *south*, protected by the equal laws of a common government, finds in the productions of the latter, great additional resources of maritime and commercial enterprise, and precious materials of manufacturing industry.—The *south* in the same intercourse, benefiting by the same agency of the *north*, sees its agriculture grow and its commerce expand. Turning partly into its own channels the seamen of the *north*, it finds its particular navigation invigorated; and while it contributes, in different ways, to nourish and increase the general mass of the national navigation, it looks forward to the protection of a maritime strength, to which itself is unequally adapted. That *east*, in a like intercourse with the *west*, already finds, and in the progressive improvement of interior communications by land and water, will more and more find a valuable vent for the commodities which it brings from abroad, or manufactures at home. The *west* derives from the *east* supplies requisite to its growth and comfort—and what is perhaps of still greater consequence, it must of necessity owe the secure enjoyments of indispensable outlets for its own productions, to the weight, influence, and the future maritime strength of the Atlantic side of the Union, directed by an indissoluble community of interest as *one nation*. Any other tenure by which the *west* can hold this essential advantage, whether derived from its own separate strength; or from an apostate and unnatural connection with any foreign power, must be intrinsically precarious.

While then every part of our country thus feels an immediate and particular interest in union, all the parts combined cannot fail to find in the united

mass of means and efforts, greater strength, greater resource, proportionably greater security from external danger, a less frequent interruption of their peace by foreign nations; and, what is of inestimable value, they must derive from union, an exemption from those broils and wars between themselves, which so frequently afflict neighboring countries not tied together by the same government; which their own rivalry alone would be sufficient to produce, but which opposite foreign alliances, attachments, and intrigues, would stimulate and embitter. Hence likewise, they will avoid the necessity of those overgrown military establishments, which under any form of government are inauspicious to liberty, and which are to be regarded as particularly hostile to republican liberty. In this sense it is, that your union ought to be considered as a main prop of your liberty, and that the love of the one ought to endear to you the preservation of the other.

These considerations speak a persuasive language to every reflecting and virtuous mind and exhibit the continuance of the union as a primary object of patriotic desire. Is there a doubt whether a common government can embrace so large a sphere? let experience solve it. To listen to mere speculation in such a case were criminal. We are authorized to hope that a proper organization of the whole, with the auxiliary agency of governments for the respective subdivisions, will afford a happy issue to the experiment. It is well worth a fair and full experiment. With such powerful and obvious motives to union, affecting all parts of our country, while experience shall not have demonstrated its impracticability, there will always be reason to distrust the patriotism of those who, in any quarter, may endeavor to weaken its hands.

In contemplating the causes which may disturb our Union, it occurs as matter of serious concern, that any ground should have been furnished for characterizing parties by *geographical* discriminations,—*northern* and *southern*—*Atlantic* and *western*; whence designing men may endeavor to excite a belief that there is a real difference of local interests and views. One of the expedients of party to acquire influence within particular districts, is to misrepresent the opinions and aims of other districts. You cannot shield yourselves too much against the jealousies and heart burnings which spring from these misrepresentations; they tend to render alien to each other those who ought to be bound together by fraternal affection. The inhabitants of our western country have lately had a useful lesson on this head; they have seen, in the negotiation by the executive, and in the unanimous ratification by the senate of the treaty with Spain, and in the universal satisfaction at the event throughout the United States, a decisive proof how unfounded were the suspicions propagated among them of a policy in the general government and in the Atlantic states, unfriendly to their interests in regard to the Mississippi. They have been witnesses to the formation of two

treaties, that with Great Britain and that with Spain, which secure to them everything they could desire, in respect to our foreign relations, towards confirming their prosperity. Will it not be their wisdom to rely for the preservation of these advantages on the union by which they were procured? will they not henceforth be deaf to those advisers, if such they are, who would sever them from their brethren and connect them with aliens?

To the efficacy and permanency of your Union, a government for the whole is indispensable. No alliance, however strict, between the parts can be an adequate substitute; they must inevitably experience the infractions and interruptions which all alliances, in all times, have experienced. Sensible of this momentous truth, you have improved upon your first essay, by the adoption of a constitution of government, better calculated than your former, for an intimate union, and for the efficacious management of your common concerns. This government, the offspring of our own choice, uninfluenced and unawed, adopted upon full investigation and mature deliberation, completely free in its principles, in the distribution of its powers, uniting security with energy, and maintaining within itself a provision for its own amendment, has a just claim to your confidence and your support. Respect for its authority, compliance with its laws, acquiescence in its measures, are duties enjoined by the fundamental maxims of true liberty. The basis of our political systems is the right of the people to make and to alter their constitutions of government. But the constitution which at any time exists, until changed by an explicit and authentic act of the whole people, is sacredly obligatory upon all. The very idea of the power, and the right of the people to establish government, presuppose the duty of every individual to obey the established government.

All obstructions to the execution of the laws, all combinations and associations under whatever plausible character, with the real design to direct, control, counteract, or awe the regular deliberations and action of the constituted authorities, are destructive of this fundamental principle, and of fatal tendency.—They serve to organize faction, to give it an artificial and extraordinary force, to put in the place of the delegated will of the nation the will of party, often a small but artful and enterprising minority of the community; and according to the alternate triumphs of different parties, to make the public administration the mirror of the ill concerted and incongruous projects of faction, rather than the organ of consistent and wholesome plans digested by common councils, and modified by mutual interests.

However combinations or associations of the above description may now and then answer popular ends, they are likely, in the course of time and things, to become potent engines, by which cunning, ambitious, and unprincipled men, will be enabled to subvert the power of the people, and to usurp for themselves the reins of government; destroying

afterwards the very engines which have lifted them to unjust dominion.

Towards the preservation of your government and the permanency of your present happy state it is requisite, not only, that you steadily discountenance irregular opposition to its acknowledged authority, but also that you resist with care the spirit of innovation upon its principles, however specious the pretext. One method of assault may be to effect, in the forms of the constitution, alterations which will impair the energy of the system; and thus to undermine what cannot be directly overthrown. In all the changes to which you may be involved, remember that time and habit are at least as necessary to fix the true character of governments, as of other human institutions:—that experience is the surest standard by which to test the real tendency of the existing constitution of a country:—that facility in changes, upon the credit of mere hypothesis and opinion, exposes to perpetual change from the endless variety of hypothesis and opinion: and remember, especially, that for the efficient management of your common interests in a country so extensive as ours, a government of as much vigor as is consistent with the perfect security of liberty is indispensable. Liberty itself will find in such a government, with powers properly distributed and adjusted, its surest guardian. It is, indeed, little else than a name, where the government is too feeble to withstand the enterprises of faction, to confine each member of the society within the limits prescribed by the laws, and to maintain all in the secure and tranquil enjoyment of the rights of person and property.

I have already intimated to you the danger of parties in the state, with particular references to the founding them on geographical discrimination. Let me now take a more comprehensive view, and warn you in the most solemn manner against the baneful effects of the spirit of party generally.

This spirit, unfortunately, is inseparable from our nature, having its root in the strongest passions of the human mind.—It exists under different shapes in all governments, more or less stifled, controlled, or repressed; but in those of the popular form it is seen in its greatest rankness, and is truly their worst enemy.

The alternate domination of one faction over another, sharpened by the spirit of revenge natural to party dissension, which in different ages and countries has perpetrated the most horrid enormities, is itself a frightful despotism. But this leads at length to a more formal and permanent despotism. The disorders and miseries which result, gradually incline the minds of men to seek security and repose in the absolute power of an individual; and, sooner or later, the chief of some prevailing faction, more able or more fortunate than his competitors, turns this disposition to the purpose of his own elevation on the ruins of public liberty.

Without looking forward to an extremity of this kind, (which nevertheless ought not to be entirely out of sight) the common and continual mischiefs of the spirit of party are sufficient to make it

the interest and duty of a wise people to discourage and restrain it.

It serves always to distract the public councils and enfeeble the public administration. It agitates the community with ill founded jealousies and false alarms; kindles the animosity of one part against another; foment occasional riot and insurrection. It opens the door to foreign influence and corruption, which finds a facilitated access to the government itself through the channels of party passions. Thus the policy and the will of one country are subjected to the policy and will of another.

There is an opinion that parties in free countries are useful checks upon the administration of the government, and serve to keep alive the spirit of liberty. This within certain limits is probably true; and in governments of a monarchical cast, patriotism may look with indulgence, if not with favor, upon the spirit of party. But in those of the popular character, in governments purely elective, it is a spirit not to be encouraged. From their natural tendency, it is certain there will always be enough of that spirit for every salutary purpose. And there being constant danger of excess, the effort ought to be, by force of public opinion, to mitigate and assuage it. A fire not to be quenched, it demands a uniform vigilance to prevent it bursting into a flame lest instead of warming it should consume.

It is important likewise, that the habits of thinking in a free country should inspire caution in those intrusted with its administration, to confine themselves within their respective constitutional spheres, avoiding in the exercise of the powers of one department, to encroach upon another. The spirit of encroachment tends to consolidate the powers of all the departments in one, and thus to create, whatever the form of government, a real despotism. A just estimate of that love of power and proneness to abuse it which predominate in the human heart, is sufficient to satisfy us of the truth of this position. The necessity of reciprocal checks in the exercise of political power, by dividing and distributing it into different depositories, and constituting each the guardian of the public weal against invasion of the others, has been evinced by experiments ancient and modern; some of them in our country and under our own eyes.—To preserve them must be as necessary as to institute them. If, in the opinion of the people, the distribution or modification of the constitutional powers be in any particular wrong, let it be corrected by an amendment in the way which the constitution designates.—But let there be no change by usurpation; for though this, in one instance, may be the instrument of good, it is the customary weapon by which free governments are destroyed. The precedent must always greatly overbalance in permanent evil any partial or transient benefit which the use can at any time yield.

Of all the dispositions and habits which lead to political prosperity, religion and morality are indispensable supports. In vain would that man claim the tribute of patriotism, who should labor to subvert these great pillars of human happi-

ness, these firmest props of the duties of men and citizens. The mere politician, equally with the pious man, ought to respect and to cherish them. A volume could not trace all their connections with private and public felicity. Let it simply be asked, where is the security for property, for reputation, for life, if the sense of religious obligation desert the oaths which are the instruments of investigation in courts of justice? And let us with caution indulge the supposition that morality can be maintained without religion. Whatever may be conceded to the influence of refined education on minds of peculiar structure, reason and experience both forbid us to expect, that national morality can prevail in exclusion of religious principle.

It is substantially true, that virtue or morality is a necessary spring of popular government. The rule, indeed, extends with more or less force to every species of free government. Who that is a sincere friend to it can look with indifference upon attempts to shake the foundation of the fabric?

Promote, then, as an object of primary importance, institutions for the general diffusion of knowledge. In proportion as the structure of a government gives force to public opinion, it should be enlightened.

As a very important source of strength and security, cherish public credit. One method of preserving it is to use it as sparingly as possible, avoiding occasions of expense by cultivating peace, but remembering, also, that timely disbursements, to prepare for danger, frequently prevent much greater disbursements to repel it; avoiding likewise the accumulation of debt, not only by shunning occasions of expense, but by vigorous exertions, in time of peace, to discharge the debts which unavoidable wars may have occasioned, not ungenerously throwing upon posterity the burden which we ourselves ought to bear. The execution of these maxims belongs to your representatives, but it is necessary that public opinions should cooperate. To facilitate to them the performance of their duty, it is essential that you should practically bear in mind, that towards the payment of debts there must be revenue; that to have revenue there must be taxes, that no taxes can be devised which are not more or less inconvenient and unpleasant; that the intrinsic embarrassment inseparable from the selection of the proper object (which is always a choice of difficulties), ought to be a decisive motive for a candid construction of the conduct of the government in making it, and for a spirit of acquiescence in the measures for obtaining revenue, which the public exigencies may at any time dictate.

Observe good faith and justice towards all nations; cultivate peace and harmony with all. Religion and morality enjoin this conduct, and can it be that good policy does not equally enjoin it? It will be worthy of a free, enlightened, and, at no distant period, a great nation, to give to mankind the magnanimous and too novel example of a people always guided by an exalted justice and benevolence. Who can doubt but, in the course of time

and things, the fruits of such a plan would richly repay any temporary advantages which might be lost by a steady adherence to it; can it be that Providence has not connected the permanent felicity of a nation with its virtue? The experiment, at least, is recommended by every sentiment which ennobles human nature. Alas! is it rendered impossible by its vices?

In the execution of such a plan, nothing is more essential than that permanent, inveterate antipathies against particular nations and passionate attachments for others, should be excluded; and that in place of them, just and amicable feelings towards all should be cultivated. The nation which indulges towards another an habitual hatred, or an habitual fondness, is in some degree a slave. It is a slave to its animosity or to its affection, either of which is sufficient to lead it astray from its duty and its interest. Antipathy in one nation against another disposes each more readily to offer insult and injury, to lay hold of slight causes of umbrage, and to be haughty and intractable when accidental or trifling occasions of dispute occur. Hence, frequent collisions, obstinate, envenomed, and bloody contests. The nation, prompted by ill will and resentment, sometimes impels to war the government, contrary to the best calculations of policy. The government sometimes participates in the national propensity, and adopts through passion what reason would reject; at other times, it makes the animosity of the nation subservient to projects of hostility, instigated by pride, ambition, and other sinister and pernicious motives. The peace often, sometimes perhaps the liberty of nations, has been the victim.

So likewise, a passionate attachment of one nation for another produces a variety of evils. Sympathy for the favorite nation, facilitating the illusion of an imaginary common interest in cases where no real common interest exists, and infusing into one the enmities of the other, betrays the former into a participation in the quarrels and wars of the latter, without adequate inducements or justifications. It leads also to concessions, to the favorite nation, of privileges denied to others, which is apt doubly to injure the nation making the concessions, by unnecessary parting with what ought to have been retained, and by exciting jealousy, ill will, and a disposition to retaliate in the parties from whom equal privileges are withheld; and it gives to ambitious, corrupted or deluded citizens who devote themselves to the favorite nation, facility to betray or sacrifice the interests of their own country, without odium, sometimes even with popularity; gilding with the appearances of a virtuous sense of obligation, a commendable deference for public opinion, or a laudable zeal for public good, the base or foolish compliances of ambition, corruption, or infatuation.

As avenues to foreign influence in innumerable ways, such attachments are particularly alarming to the truly enlightened and independent patriot. How many opportunities do they afford to

tamper with domestic factions, to practice the arts of seduction, to mislead public opinion, to influence or awe the public councils!—Such an attachment of a small or weak, towards a great and powerful nation, dooms the former to be the satellite of the latter.

Against the insidious wiles of foreign influence, (I conjure you to believe me fellow citizens,) the jealousy of a free people ought to be constantly awake; since history and experience prove, that foreign influence is one of the most baneful foes of republican government. But that jealousy, to be useful, must be impartial, else it becomes the instrument of the very influence to be avoided, instead of a defense against it. Excessive partiality for one foreign nation and excessive dislike for another, cause those whom they actuate to see danger only on one side, and serve to veil and even second the arts of influence on the other. Real patriots, who may resist the intrigues of the favorite, are liable to become suspected and odious; while its tools and dupes usurp the applause and confidence of the people, to surrender their interest.

The great rule of conduct for us, in regard to foreign nations, is, in extending our commercial relations, to have with them as little political connection as possible. So far as we have already formed engagements, let them be fulfilled with perfect good faith:—Here let us stop.

Europe has a set of primary interests, which to us have none, or a very remote relation. Hence, she must be engaged in frequent controversies, the causes of which are essentially foreign to our concerns. Hence, therefore, it must be unwise in us to implicate ourselves, by artificial ties, in the ordinary vicissitudes of her politics, or the ordinary combinations and collusions of her friendships or enmities.

Our detached and distant situation invites and enables us to pursue a different course. If we remain one people, under an efficient government, the period is not far off when we may defy material injury from external annoyance; when we may take such an attitude as will cause the neutrality we may at any time resolve upon, to be scrupulously respected; when belligerent nations, under the impossibility of making acquisitions upon us, will not lightly hazard the giving us provocation, when we may choose peace or war, as our interest, guided by justice, shall counsel.

Why forego the advantages of so peculiar a situation? Why quit our own to stand upon foreign ground? Why, by interweaving our destiny with that of any part of Europe, entangle our peace and prosperity in the toils of European ambition, rivalry, interest, humor, or caprice?

It is our true policy to steer clear of permanent alliance with any portion of the foreign world; so far, I mean, as we are now at liberty to do it; for let me not be understood as capable of patronizing infidelity to existing engagements. I hold the maxim no less applicable to public than private affairs, that honesty is always the best policy. I repeat it,

therefore, let those engagements be observed in their genuine sense. But in my opinion, it is unnecessary, and would be unwise to extend them.

Taking care always to keep ourselves by suitable establishments, on a respectable defensive posture, we may safely trust to temporary alliances for extraordinary emergencies.

Harmony, and a liberal intercourse with all nations, are recommended by policy, humanity, and interest. But even our commercial policy should hold an equal and impartial hand; neither seeking nor granting exclusive favors or preferences; consulting the natural course of things; diffusing and diversifying by gentle means the streams of commerce, but forcing nothing; establishing with powers so disposed, in order to give trade a stable course, to define the rights of our merchants, and to enable the government to support them, conventional rules of intercourse, the best that present circumstances and mutual opinion will permit, but temporary, and liable to be from time to time abandoned or varied as experience and circumstances shall dictate; constantly keeping in view, that it is folly in one nation to look for disinterested favors from another; that it must pay with a portion of its independence for whatever it may accept under that character; that by such acceptance, it may place itself in the condition of having given equivalents for nominal favors, and yet of being reproached with ingratitude for not giving more. There can be no greater error than to expect, or calculate upon real favors from nation to nation. It is an illusion which experience must cure, which a just pride ought to discard.

In offering to you my countrymen, these counsels of an old and affectionate friend, I dare not hope they will make the strong and lasting impression I could wish; that they will control the usual current of the passions, or prevent our nation from running the course which has hitherto marked the destiny of nations, but if I may even flatter myself that they may be productive of some partial benefit, some occasional good; that they may now and then recur to moderate the fury of party spirit, to warn against the mischiefs of foreign intrigue, to guard against the impostures of pretended patriotism; this hope will be a full recompense for the solicitude for your welfare by which they have been dictated.

How far, in the discharge of my official duties, I have been guided by the principles which have been delineated, the public records and other evidences of my conduct must witness to you and to the world. To myself, the assurance of my own conscience is, that I have, at least, believed myself to be guided by them.

In relation to the still subsisting war in Europe; my proclamation of the 22d of April, 1793, is the index to my plan. Sanctioned by your approving voice, and by that of your representatives in both houses of congress, the spirit of that measure has continually governed me, uninfluenced by any attempts to deter or divert me from it.

After deliberate examination, with the aid of the best lights I could obtain, I was well satisfied that our country, under all the circumstances of the case, had a right to take, and was bound in duty and interest, to take a neutral position. Having taken it, I determined, as far as should depend upon me, to maintain it with moderation, perseverance and firmness.

The considerations which respect the right to hold this conduct, it is not necessary on this occasion to detail. I will only observe that, according to my understanding of the matter, that right, so far from being denied by any of the belligerent powers, has been virtually admitted by all.

The duty of holding a neutral conduct may be inferred, without any thing more, from the obligation which justice and humanity impose on every nation, in cases in which it is free to act, to maintain inviolate the relations of peace and amity towards other nations.

The inducements of interest for observing that conduct will best be referred to your own reflections and experience. With me a predominant motive has been to endeavor to gain time to our country to settle and mature its yet recent institutions, and to progress, without interruption, to that degree of strength, and consistency which is necessary to give it, humanly speaking, the command of its own fortunes.

Though in reviewing the incidents of my administration, I am unconscious of intentional error, I am nevertheless too sensible of my defects not to think it probable that I may have committed many errors. Whatever they may be, I fervently beseech the Almighty to avert or mitigate the evils to which they may tend. I shall also carry with me the hope that my country will never cease to view them with indulgence; and that, after forty-five years of my life dedicated to its service, with an upright zeal, the faults of incompetent abilities will be consigned to oblivion, as myself must soon be to the mansions of rest.

Relying on its kindness in this as in other things, and actuated by that fervent love towards it, which is so natural to a man who views in it the native soil of himself and his progenitors for several generations; I anticipate with pleasing expectation that retreat in which I promise myself to realize without alloy, the sweet enjoyment of partaking, in the midst of my fellow citizens, the benign influence of good laws under a free government—the ever favorite object of my heart, and the happy reward, as I trust, of our mutual cares, labors and dangers.

GEO. WASHINGTON.

UNITED STATES,

17th September, 1796.

[Applause, Senators rising.]

Mr. MANSFIELD. Mr. President, I wish to compliment and commend the distinguished senior Senator from Maryland [Mr. BUTLER] for the inspiring rendition he gave of the Farewell Address by George Washington, the first Presi-

dent of our country. I think the reading of the address was timely, because it contains much wisdom and counsel. I am delighted that we have had this opportunity to listen to so eloquent a speaker deliver Washington's Farewell Address on this occasion.

Mr. DIRKSEN. Mr. President, I wish to commend my distinguished friend, the senior Senator from Maryland [Mr. BUTLER], upon his very superb presentation of the Farewell Address by George Washington.

A little of the history involved should be known to us: First of all, the address was presented to the people of the United States on the ninth anniversary of the formulation of the Constitution, in Philadelphia. The address came on September 17, 1796; and the Constitution was uttered on September 17, 1787.

The great State of Maryland, from which comes our distinguished compatriot, was one of the original colonies and was one of the Original States; and its distinguished representatives at the Constitutional Convention were there to help utter this great document, the framework of liberty, to which the Father of our Country so generously alluded in his Farewell Address.

So, coming, as he does, from one of the Original Colonies and one of the Original States, and inasmuch as the Farewell Address came to the people of the country in the form of an admonition of conduct, on the ninth anniversary of the Constitution, I did not want that fact to go unnoticed.

Mr. BUTLER. Mr. President, I thank the Senator from Illinois. Let me say to him that I enjoyed very much the privilege and the opportunity of uttering the noble words of our first President. It was really a very exhilarating and thrilling experience.

Mr. ROBERTSON. Mr. President, I wish to share in the expression of appreciation to the distinguished Senator from Maryland. After searching all over the Capitol for a bust of George Washington, in order that the photographer might make a picture of the Senator from Maryland standing by a bust of Washington, I am glad the Senator finally found one in the office of the junior Senator from Virginia. I was glad to make that contribution to the proper publicity to which the Senator is entitled.

Mr. BUTLER. I thank the Senator from Virginia.

EXECUTIVE COMMUNICATION

The PRESIDENT pro tempore laid before the Senate a communication from the President of the United States, transmitting a draft of proposed legislation to amend the Mutual Defense Assistance Control Act of 1951, which, with the accompanying paper, was referred to the Committee on Foreign Relations.

Mr. MANSFIELD subsequently said: Mr. President, I am informed that there is on the Vice President's desk a brief communication from the President of

the United States. I ask that it be laid before the Senate and read.

The PRESIDENT pro tempore. The Chair lays before the Senate a communication from the President of the United States, which the clerk will read.

The legislative clerk read as follows:

THE WHITE HOUSE,

Washington, D.C., February 21, 1961.

HON. LYNDON B. JOHNSON,

President of the Senate,

Washington, D.C.

DEAR MR. PRESIDENT: In the state of the Union address I asked the Congress for increased discretion to use economic tools as an aid in reestablishing our historic ties of friendship with the people of Eastern Europe.

I urge the Congress to take early action on legislation to accomplish this purpose. Such legislation—along the lines of the amendment to the Mutual Defense Assistance Control Act of 1951, which was passed by the Senate on September 12, 1959—accompanies this letter.

Sincerely,

JOHN F. KENNEDY.

The PRESIDENT pro tempore. The communication will be referred to the Committee on Foreign Relations.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the PRESIDENT pro tempore:

A joint resolution of the Legislature of the State of California; to the Committee on Appropriations:

"SENATE JOINT RESOLUTION 3

"Resolution relating to pear decline

"Whereas a disorder of pear trees called pear decline disease has, since first reported in California in May of 1959, destroyed or seriously affected over 110,000 pear trees; and

"Whereas this disease during 1959 and 1960 swept rampant, particularly through pear groves in El Dorado, Placer, Sacramento and Solano Counties; is a serious problem in Santa Clara, Lake and Yuba Counties, and has been reported from all major pear producing areas in the State; and

"Whereas apparently all commercial varieties of pear trees are affected by the disease; and

"Whereas research to date has so far failed to determine the cause of the disease; and

"Whereas unless action is taken immediately, the State's pear industry, producing an approximate average annual crop valued at \$26 million, will be in serious jeopardy: Now, therefore, be it

"Resolved by the Senate and Assembly of the State of California (jointly), That the Congress of the United States is memorialized to take such steps as may be necessary to make immediately available sufficient funds to conduct a comprehensive basic research program on the pear decline disease; and be it further

"Resolved, That the secretary of the senate is hereby directed to transmit copies of this resolution to the President and Vice President of the United States, the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States."

A joint resolution of the Legislature of the State of Wyoming; to the Committee on the Judiciary:

"JOINT RESOLUTION No. 1

"A joint resolution ratifying a proposed amendment to the Constitution of the United States of America granting representation in the electoral college to the District of Columbia

"Whereas both Houses of the 86th Congress of the United States of America, by a constitutional majority of two-thirds thereof, made the following proposal to amend the Constitution of the United States of America relating to the granting of representation in the electoral college to the District of Columbia, which proposal is in the following words; namely:

"Joint resolution proposing an amendment to the Constitution of the United States granting representation in the electoral college to the District of Columbia

"Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is hereby proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution only if ratified by the legislatures of three-fourths of the several States within seven years from the date of its submission by the Congress:

"ARTICLE—

"SECTION 1. The District constitution the seat of government of the United States shall appoint in such manner as the Congress may direct:

"A number of electors of President and Vice President equal to the whole number of Senators and Representatives in Congress to which the District would be entitled if it were a State, but in no event more than the least populous State; they shall be in addition to those appointed by the States, but they shall be considered, for the purposes of the election of President and Vice President, to be electors appointed by a State; and they shall meet in the District and perform such duties as provided by the twelfth article of amendment.

"Sec. 2. The Congress shall have power to enforce this article by appropriate legislation."

"Now, therefore, be it

"Resolved by the Legislature of the State of Wyoming:

"SECTION 1. That the said above proposed amendment to the Constitution of the United States of America be and the same is hereby ratified by the Legislature of the State of Wyoming.

"Sec. 2. That certified copies of the joint resolution be forwarded by the Governor of this State to the Secretary of State at Washington, D.C., to the Presiding Officer of the U.S. Senate and to the Speaker of the House of Representatives of the United States."

Three joint resolutions of the Legislature of the State of Wyoming; to the Committee on Interior and Insular Affairs:

"JOINT MEMORIAL No. 8

"A joint memorial, memorializing the Congress of the United States to provide legislation designed and with reference to the recognition of the rights and laws of the State of Wyoming relating to the control, development, appropriation, and use of waters within the State's boundaries

"Be it resolved by the Legislature of the State of Wyoming:

"Whereas the recognition by the Federal agencies of the rights and laws of the States

relating to control, development, appropriation, and use of waters within the States' boundaries is one of the fundamental concepts of Wyoming law and of the reclamation law as stated in section 8 of the Reclamation Act of 1902; and

"Whereas the welfare and interest of the citizens of the State of Wyoming demand the recognition by said Federal agencies of the rights and laws of this State, since waters in this State constitute an important and vital part of the life and economy of the State of Wyoming; and

"Whereas at the present time there is particular need to reassert and safeguard this fundamental concept of State and Federal law: Now, therefore, be it

"Resolved by the House of the 36th Legislature of the State of Wyoming (the Senate of such legislature concurring), That the President and Congress of the United States of America be and they are hereby memorialized to consider fairly and diligently the welfare and interest of the people of the State of Wyoming, who favor legislation providing for recognition of the rights of the State of Wyoming to regulate and control the appropriation, distribution, and use of waters within this State, and to require compliance with such laws by the Federal agencies and their licensees; be it further

"Resolved, That certified copies hereof be transmitted promptly to the President and Vice President of the United States, the Speaker of the House of Representatives of said Congress, U.S. Senator Gale McGee, U.S. Senator J. J. Hickey, Representative in Congress William Henry Harrison, Secretary of the Interior Stewart Udall, Secretary of Agriculture Orville Freeman, and Commissioner of the Bureau of Reclamation Floyd Dominy."

"JOINT MEMORIAL No. 9

"A joint memorial, memorializing the Congress of the United States to enact certain legislation to make various areas of reclamation nonreimbursables to the full extent of the national interest

"Be it resolved by the Legislature of the State of Wyoming:

"Whereas the costs allocated to flood control, navigation, and fish and wildlife benefits are now authorized by law as nonreimbursables; and

"Whereas many water development and reclamation projects provide recreational facilities, salinity control, sediment control, public transportation, protection of public health, and protection of national defense benefits which are of more value to a river basin and to the Nation as a whole than they are to the irrigation water users under the projects; and

"Whereas it is no more logical to make the local irrigation water users pay for these benefits to the region and to the Nation than it would be to make them pay for flood control, navigation, and fish and wildlife benefits which are now nonreimbursables; and

"Whereas this area of reclamation is one which is of great interest to the citizens of the State of Wyoming: Now, therefore, be it

"Resolved by the House of the 36th Legislature of the State of Wyoming (the Senate of such legislature concurring), that the President and Congress of the United States of America be and they are hereby memorialized to consider fairly and diligently the welfare and interest of the people of the State of Wyoming, who favor legislation which would authorize (1) recreational, (2) general salinity control, (3) sediment control, (4) public transportation, (5) protection of public health, (6) promotion of national

defense, and (7) fulfillment of international obligation benefits; to be nonreimbursables to the full extent of the national interest; be it further

"Resolved, That certified copies hereof be promptly transmitted to the President and Vice President of the United States, the Speaker of the House of Representatives of said Congress, U.S. Senator Gale McGee, U.S. Senator J. J. Hickey, Representative in Congress William Henry Harrison, Secretary of Interior Stewart Udall, Secretary of Agriculture Orville Freeman and Commissioner of the Bureau of Reclamation, Floyd Dominy."

JOINT MEMORIAL 10

"A joint memorial, memorializing the Congress of the United States to provide legislation regarding the feasibility reports required in connection with applications for Federal small project loans, and requiring such reports only when they are needed to establish the ability of the borrowing entity to repay the loan

"Be it resolved by the Legislature of the State of Wyoming:

"Whereas it has been the experience in the State of Wyoming that the detailed feasibility reports required in connection with the application for a Federal small projects loan are such that the cost of such feasibility reports are clearly out of proportion to the cost of many small supplemental water supply projects in Wyoming that could benefit from such a loan program; and

"Whereas for small supplemental water supply projects for entities within a growing and established agricultural economy, the detailed and costly feasibility studies which are necessary for large new projects are not needed to establish the ability of the borrowing entity to repay the loan: Now, therefore, be it

"Resolved, by the House of the 36th Legislature of the State of Wyoming, (the Senate of such legislature concurring), That the President and Congress of the United States of America be and they are hereby memorialized to take such action as may be necessary so that the feasibility reports required in connection with an application for a Federal small project loan for a small supplemental water supply project be required only when such are needed to establish the ability of the borrowing entity to repay the loan; be it further

"Resolved, That certified copies hereof be promptly transmitted to the President and Vice President of the United States, the Speaker of the House of Representatives of said Congress, U.S. Senator Gale McGee, U.S. Senator J. J. Hickey, Representative in Congress William Henry Harrison, Secretary of Interior Stewart Udall, Secretary of Agriculture, Orville Freeman and Commissioner of the Bureau of Reclamation, Floyd Dominy."

A joint resolution of the Legislature of the State of New Mexico; to the Committee on the Judiciary:

"SENATE JOINT RESOLUTION 16

"A joint resolution ratifying the proposed amendment of the Constitution of the United States granting representation in the electoral college to the District of Columbia

"Whereas the 86th Congress of the United States of America, at the 2d session, duly adopted Senate Joint Resolution 39, proposing an amendment to the Constitution of the United States granting representation in the electoral college to the District of Columbia; and

"Whereas said proposed amendment has been submitted to the several States for ratification, and said proposed amendment

to the Constitution of the United States is in the following words, to wit:

"ARTICLE —

"SECTION 1. The District constituting the seat of Government of the United States shall appoint in such manner as the Congress may direct:

"A number of electors of President and Vice President equal to the whole number of Senators and Representatives in Congress to which the District would be entitled if it were a State, but in no event more than the least populous State; they shall be in addition to those appointed by the States, but they shall be considered, for the purposes of the election of President and Vice President, to be electors appointed by a State; and they shall meet in the District and perform such duties as provided by the twelfth article of amendment.

"Sec. 2. The Congress shall have power to enforce this article by appropriate legislation."

"Now, therefore, be it

"Resolved by the Legislature of the State of New Mexico, That the proposed amendment to the Constitution of the United States granting representation in the electoral college to the District of Columbia be, and the same is, hereby ratified by the Legislature of the State of New Mexico; be it further

"Resolved, That certified copies of the foregoing preamble and resolution be immediately forwarded by the secretary of state of the State of New Mexico, under the great seal, to the President of the United States, the President of the Senate of the United States, the Speaker of the House of Representatives of the United States and the Administrator of General Services."

A resolution adopted by the chamber of commerce of Tuolumne County, Calif., relating to an increase in the price of newly mined domestic gold; to the Committee on Banking and Currency.

CONCURRENT RESOLUTION OF TEXAS LEGISLATURE

The PRESIDENT pro tempore laid before the Senate a concurrent resolution of the Legislature of the State of Texas, commending the Federal Power Commission for holding area prehearing conferences, which was referred to the Committee on Interstate and Foreign Commerce.

(See the above concurrent resolution printed in full when presented by Mr. YARBOROUGH on February 20, 1961, p. 2329, CONGRESSIONAL RECORD.)

ALLEVIATION OF THE FEED-GRAIN SITUATION—RESOLUTION OF NEBRASKA LEGISLATURE

Mr. HRUSKA. Mr. President, I send to the desk a resolution adopted by the Legislature of the State of Nebraska. The resolution has to do with the consideration the Congress is now giving to farm legislation.

After making a number of recitals which pertain to the situation with which the Nation is faced in connection with its agricultural activities, the resolution provides, in part—

That Congress take immediate steps to alleviate this critical situation with proper legislation.

Mr. President, I must say that the legislature of my State acted with a great deal of restraint. It did not pur-

port to have ready, at hand, any complete panacea or complete solution of the problem. The members of the legislature are experienced legislators, and they know that the processes of enacting into law a bill are many and varied, and that in order to work out a final product, there is required a combination of a great many views and a reconciliation of conflicting views.

However, the problem is a grave and a serious one; and I wish to say that I join in the thinking of the members of the Nebraska unicameral legislature in expressing the hope and giving voice to the prayer that something effective and something that will serve well the purpose will soon be done.

Mr. President, I ask unanimous consent that the letter of transmittal, which I have received from Hugo F. Srb, clerk of the Nebraska State Legislature, and the text of the resolution itself be printed at this point in the RECORD.

There being no objection, the letter and the resolution were ordered to be printed in the RECORD, as follows:

NEBRASKA STATE LEGISLATURE,
February 16, 1961.

Senator ROMAN L. HRUSKA,
Senate Office Building,
Washington, D.C.

DEAR ROMAN: I am enclosing herewith a copy of Legislative Resolution 8 which was passed by the Legislature of Nebraska in 72d regular session on the 13th day of February 1961.

Very truly yours,

HUGO F. SRB,
Clerk of the Legislature.

LEGISLATIVE RESOLUTION 8

Whereas unrealistic farm programs have resulted in steadily decreasing farm prices and income at the same time that farm costs have continued to mount; and

Whereas the Nation is faced with a critical problem in the extreme overproduction of feed grains because of the maintenance of price supports with no attendant limitations on production, which, unless soon checked, may have disastrous effects on livestock prices; and

Whereas stocks of feed grains have risen at an alarming rate necessitating the spending of huge sums by the Federal Government for storage, which accumulation should be stopped through the gradual reduction of existing stocks to realistic reserve levels outside the domestic commercial market and the development of a program for balancing annual production with market needs while assuring customers of abundant food supplies at prices reasonable to both consumer and farmer; and

Whereas numerous large and powerful farm groups have expressed concern about the accumulation of feed grains as a threat to the family farm, to the consumer, and to all segments of the American economy; and

Whereas a specially constituted Feed-Grain Study Committee, created to recommend action to be taken to cope with the problem of overproduction of feed grains, has made recommendations which have been submitted to the Committee on Agriculture of the U.S. Senate which has the apparent approval of major farm groups: Now, therefore, be it

Resolved by the members of the Nebraska Legislature in 72d session assembled:

1. That Congress take immediate steps to alleviate this critical situation with proper legislation.

2. That copies of this resolution be transmitted by the clerk of the legislature to

Secretary of Agriculture Orville Freeman, to the chairmen of the Committees on Agriculture of the U.S. Senate and House of Representatives, and to each Member from Nebraska in the U.S. Senate and in the House of Representatives.

DWIGHT W. BURNLEY,
President of the Legislature.

I, Hugo F. Srb, hereby certify that the foregoing is a true and correct copy of Legislative Resolution 8, which was passed by the Legislature of Nebraska in 72d regular session on the 13th day of February 1961.

HUGO F. SRB,
Clerk of the Legislature.

LITHUANIAN INDEPENDENCE—RESOLUTIONS

Mr. SMITH of Massachusetts. Mr. President, over 43 years ago, on February 16, 1918, after 123 years of Russian occupation, the Council of Lithuania proclaimed the country's independence. Two years later, in the Treaty of Moscow, Russia recognized that independence and forever renounced all sovereign rights over the Lithuanian people.

The Russians kept their word for exactly 20 years. Then in 1940, they re-occupied Lithuania, and the country returned to 21 more years of Communist, Nazi, and again Communist, repression, which has continued to this day.

The United States condemned the Soviet aggression in 1940, and refused to recognize the Russian occupation of the country. The sympathies of all Americans are, I am sure, with the enslaved people of this nation, many of whose friends and relatives live in the United States.

I ask the unanimous consent of the Senate to place in the RECORD two resolutions adopted by Lithuanian groups in Massachusetts which express their sentiments toward the enslavement of their homeland.

There being no objection, the resolutions were ordered to be printed in the RECORD, as follows:

At a mass meeting of Lithuanians of Greater Boston held under the auspices of the American Lithuanian Council of Boston in the auditorium of South Boston High School, South Boston, Mass., on February 19, 1961, and attended by more than 1,200 persons with Hon. Edward F. McLaughlin, Lieutenant Governor of Massachusetts, Hon. Edward J. McCormack, Jr., attorney general of Massachusetts, Hon. John E. Powers, president of Massachusetts Senate, and representatives of the enslaved nations of Lithuania, Latvia, Estonia, and the Ukraine, the following resolutions were unanimously adopted:

"Whereas the Council of Lithuania, elected by the great Congress of Lithuania in 1917, proclaimed the independence of Lithuania on February 16, 1918, after 123 years of Russian occupation; and

"Whereas by the Treaty of Moscow of 1920 Soviet Russia recognized the sovereignty and independence of Lithuania and forever renounced all sovereign rights possessed by Russia over the Lithuanian people and its territory; and

"Whereas the guaranteed liberty of Lithuania was forcibly violated and suppressed by Soviet Russia in 1940 notwithstanding its solemn treaties; and

"Whereas the U.S. Government on July 23, 1940, condemned such aggression and refused to recognize Soviet occupation of Lithuania; and

"Whereas the mere denial to recognize the Soviet claims of that area does not and will bear the slightest effect on the leaders of the Soviet Government: Now, therefore, be it

Resolved, That we express our faith and loyalty in our newly elected President of these United States of America, John F. Kennedy, and to all the forces opposing totalitarian rule and oppression.

Resolved, That we unite in appealing to our representatives in government to exert all their efforts to adopt a clear and firm foreign policy such as America's leadership in world affairs necessitates.

Resolved, That the foreign policy of the United States shall include the liberation of Lithuania and other Soviet enslaved nations as an integral and inseparable part of its program.

Resolved, That the United States present to the United Nations General Assembly an amendment to the colonialization resolution so as to effect the freedom of Soviet colonies in eastern and central Europe.

Resolved, That the continued aggression of Soviet Russia in Lithuania, its merciless acts of race extermination, its enslavement of the peoples and confiscation of their property be condemned.

Resolved, That all political and economic pressures be brought to bear on Soviet officials to withdraw its military control of Lithuania, Latvia, Estonia, and other enslaved nations in Europe and to return to those nations their right of self-determination to govern themselves in conformity with democratic principles of freedom and justice.

Resolved, That copies of these resolutions be forwarded this day to President John F. Kennedy; Secretary of State Dean Rusk; Senator Leverett Saltonstall; Senator Benjamin Smith; United Nations Ambassador Adlai Stevenson; Congressman and Majority Leader John W. McCormack; Hon. John A. Volpe, Governor of the Commonwealth of Massachusetts; Hon. Edward J. McCormack, Jr., attorney general; Hon. John F. Collins, mayor of Boston; to all our Representatives in Congress and to the press."

AMERICAN LITHUANIAN COUNCIL
OF BOSTON,

JACKUS SONDA, *President*.

ANTHONY J. YOUNG,

Resolutions Chairman.

February 16, 1961, marked the 43d anniversary of the declaration of independence by Lithuania to the entire world. For the proper observance of this anniversary, the committee duly elected for this purpose and officially representing 68 organizations from the 2 Lithuanian parishes in Worcester, Mass., St. Casimir's and Our Lady of Vilna, from the Lithuanian Aid Association, and from the Worcester branch of the Lithuanian Community of the United States in America, arranged an appropriate celebration, which took place Sunday, February 19, 1961, at 4 p.m., in Our Lady of Vilna Parish Hall. During this celebration, the official delegates and the more than 1,600 people present unanimously adopted and passed the following resolution:

"Whereas the democratic policy of the Government of the United States has always been never to abandon the principle of freedom for all nations, both large and small, and never to acquiesce in the subjugation of captive nations by ruthless, despotic powers; and

"Whereas the Republic of Lithuania, a neutral nation, has ever expressed, and continues to express, her determination to be free and independent as is her God-given right; and

"Whereas since June 1940, when her military forces overran the country of Lithuania against the wishes of Lithuanian people, Soviet Russia persists in its policy to deprive Lithuania of her freedom and to sub-

ject her people to a most vicious type of persecution, as witness the recent arrest of the Lithuanian bishop, the Most Reverend Julian Steponavicius, for his refusal to ordain to the holy priesthood Soviet spies thoroughly unworthy of ordination; and

"Whereas the Government of the United States has rightly refused to recognize de jure the unjust seizure of Lithuania by the Soviet: Now, therefore, be it

Resolved, That the Government of the United States, a bulwark of hope and courage to those who champion the God-given rights of man to freedom, continue without ceasing in its policy to refuse to recognize de jure the unjust annexation of Lithuania effected by the brute power of the Soviet military forces; be it further

Resolved, That, in accordance with the principles of political and social justice, Soviet Russia be compelled to leave Lithuania and to arrange for the immediate return to Lithuania all Lithuanians, now forcibly exiled in the barren wastes of Siberia and elsewhere; be it further

Resolved, That, if he be sincere in his recent statement calling for the abolishment of colonialism, the Russian dictator, Khrushchev, permit Lithuania and the other satellite nations in Eastern Europe to hold a free plebiscite with a secret ballot supervised by the United Nations to determine for themselves their own form of government; be it further

Resolved, That all free nations realize that no true peace can exist if nations like Lithuania are to be subjugated to a communistic regime, for Soviet communism is guided by one main principle, the mastery of the entire human race by the Soviet proletariat; be it further

Resolved, That Lithuania, because she has a right to have her case heard by the entire world, be admitted and approved as a member of the United Nations organization; be it further

Resolved, That copies of these resolutions be forwarded to the President of the United States, His Excellency the Honorable John F. Kennedy; to the Secretary of State the Honorable Dean Rusk; to the U.S. representative to the United Nations Ambassador Adlai Stevenson; to the Senators of Massachusetts, the Honorable Leverett Saltonstall and the Honorable Benjamin A. Smith II; to the Representative of the Fourth Congressional District of Massachusetts, the Honorable Harold D. Donohue; and to the press."

JOSEPH W. GLAVICKAS,

Chairman.

MARY T. KLIMKAITIS,

Secretary.

AUTHORIZATION FOR JOHN G. BONOMI TO TESTIFY FOR THE GOVERNMENT IN THE CASE OF UNITED STATES AGAINST PAUL JOHN CARBO ET AL.—REPORT OF A COMMITTEE

Mr. DIRKSEN, from the Committee on the Judiciary, reported an original resolution (S. Res. 93) authorizing John G. Bonomi, Assistant Counsel of the Subcommittee on Antitrust and Monopoly of the Committee on the Judiciary to appear and testify in the case of the United States against Paul John Carbo and others.

Mr. MANSFIELD. Mr. President, John G. Bonomi, assistant counsel to the Subcommittee on Antitrust and Monopoly of the Committee on the Judiciary, has been requested by Mr. Alvin H. Goldstein, special assistant to the Attorney General of the United States, to appear and testify for the Government in the

case of United States against Paul John Carbo and others in the District Court of the United States for the Southern District of California.

Mr. Bonomi was counsel at the hearings which were held by the Subcommittee on Antitrust and Monopoly when inquiry was made into professional boxing.

The resolution has the approval of the Committee on the Judiciary. It would authorize Mr. Bonomi to attend the mentioned trial and give testimony respecting matters documentary or otherwise which may be deemed material or relevant by the court.

Mr. President, this matter has been discussed with me by the distinguished minority leader, and I have no objection to the consideration of the resolution at this time.

The PRESIDING OFFICER (Mr. SMITH of Massachusetts in the chair). The resolution will be stated.

The LEGISLATIVE CLERK. A resolution (S. Res. 93):

Whereas in the case of the United States against Paul John Carbo et al., pending in the District Court of the United States for the Southern District of California, docket number 27973-CD, a written request was made by Alvin H. Goldstein, special assistant to the Attorney General, addressed to John G. Bonomi, assistant counsel of the Subcommittee on Antitrust and Monopoly of the Committee on the Judiciary, United States Senate, requesting that John G. Bonomi appear as a witness before said court to give testimony which may relate to matters which are in the possession and under the control of the Senate; and

Whereas Truman Gibson is a codefendant in the said trial of the United States against Paul John Carbo et al., and

Whereas said Subcommittee on Antitrust and Monopoly held hearings in Washington, District of Columbia, on December 5, 6, 7, 8, 9, 12, 13, and 14, 1960, concerning the monopoly aspects of professional boxing and has in its possession certain records pertaining to the testimony of the said Truman Gibson before the said subcommittee on December 5 and 6, 1960: Therefore be it

Resolved, That by the privileges of the Senate no evidence under the control and in the possession of the Senate of the United States (which possession and control extends to evidence in the possession or under the control of any committee or subcommittee of the Senate) can, by the mandate of process of the ordinary courts of justice, be taken from such control or possession except by its permission; and be it further

Resolved, That when it appears by the order or process of a court or of a judge thereof or of any legal officer charged with the administration of the orders or processes of such court or judge that testimony of an employee of the Senate is needful for use in any court of justice or before any judge or any legal officer for the promotion of justice and further, when it appears that such testimony may involve matters under the control of or in the possession of the Senate, the Senate will take such order thereon as will promote the ends of justice consistently with the privileges and rights of the Senate; and be it further

Resolved, That John G. Bonomi be, and he hereby is, authorized, in response to the aforementioned request, to attend at the trial of said case, and to testify and to answer such questions as may be put to him, and in the giving of his testimony he be, and he hereby is, specifically authorized to testify concerning matters (documentary or otherwise) which are or have been under the control of, or in the possession of, the

Senate of the United States and which are deemed by the court to be material and relevant.

THE PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution.

MR. DIRKSEN. Mr. President, the resolution springs from a rather extensive investigation made by the Subcommittee on Antitrust and Monopoly, of which the distinguished Senator from Tennessee [Mr. KEFAUVER] is the chairman. The subcommittee had before it a great many witnesses, and the name of Mr. Carbo appeared very frequently in his relation to the whole boxing fraternity and in connection with certain activities which seemed to merit real investigation. Mr. Carbo is now summoned by the U.S. attorney in California.

Since Mr. Bonomi, of New York, conducted the investigation at the request of the subcommittee, certain documents and also Mr. Bonomi's personal testimony appear to be necessary. That is the reason for the resolution which comes before the Senate for consideration today. I trust the resolution will merit the approval of the Senate.

THE PRESIDING OFFICER. The question is on agreeing to the resolution. The resolution (S. Res. 93) was agreed to.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. WILEY:

S. 1026. A bill to establish a National Economic Council for Security and Progress to provide planning and to coordinate programs to meet the Communist challenge in the economic sphere; to the Committee on Government Operations.

(See the remarks of Mr. WILEY when he introduced the above bill, which appear under a separate heading.)

By Mr. ELLENDER (by request):

S. 1027. A bill to amend title I of the Agricultural Trade Development and Assistance Act of 1954; and

S. 1028. A bill to amend the transitional provisions of the act approved August 7, 1959, entitled "Nematocide, Plant Regulator, Defoliant, and Desiccant Amendment of 1959"; to the Committee on Agriculture and Forestry.

By Mr. BUSH:

S. 1029. A bill authorizing certain construction for the protection of the Mystic, Conn., area against hurricane tidal flooding; to the Committee on Public Works.

By Mr. MANSFIELD (for himself and Mr. METCALF):

S. 1030. A bill to provide for the relocation of the Fort Peck-Great Falls transmission line in the vicinity of the city of Glasgow, Mont.; to the Committee on Interior and Insular Affairs.

By Mr. BEALL:

S. 1031. A bill for the relief of the city of Frederick, Md.; to the Committee on the Judiciary.

By Mr. BEALL (for himself and Mr. BUTLER):

S. 1032. A bill to permit the flying of the flag of the United States for 24 hours of each day on the estate known as Terra Rubra, the birthplace of Francis Scott Key, in Carroll County, Md., and at the grave of Key in

Mount Olivet Cemetery in Frederick, Md.; to the Committee on the Judiciary.

By Mr. SPARKMAN:

S. 1033. A bill for the relief of Mrs. Milanne Popovics; to the Committee on the Judiciary.

By Mr. METCALF (for himself, Mr. CARROLL, Mr. HART, Mr. MAGNUSON, Mr. MCCARTHY, Mr. MORSE, Mr. MOSS, and Mr. PROXMIER):

S. 1034. A bill relating to certain inspections and investigations in metallic and non-metallic mines (excluding coal and lignite mines) for the purpose of obtaining information relating to health and safety conditions, accidents, and occupational diseases therein and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. METCALF when he introduced the above bill, which appear under a separate heading.)

By Mr. HOLLAND:

S. 1035. A bill to amend the Civil Service Retirement Act, as amended, to prescribe conditions under which certain periods of employment shall be considered creditable service; to the Committee on Post Office and Civil Service.

By Mr. JAVITS:

S. 1036. A bill to provide civil remedies to persons damaged by unfair commercial activities in or affecting commerce; to the Committee on Interstate and Foreign Commerce.

(See the remarks of Mr. JAVITS when he introduced the above bill, which appear under a separate heading.)

By Mr. HOLLAND:

S. 1037. A bill to amend the provisions of the Perishable Agricultural Commodities Act, 1930, relating to practices in the marketing of perishable agricultural commodities; to the Committee on Agriculture and Forestry.

By Mr. LONG of Missouri (for himself and Mr. SYMINGTON):

S. 1038. A bill to provide for the appointment of an additional district judge for the eastern district of Missouri; and

S. 1039. A bill to provide for the appointment of an additional district judge for the western district of Missouri; to the Committee on the Judiciary.

By Mr. WILLIAMS of Delaware:

S. 1040. A bill to abolish the Federal Farm Mortgage Corporation, and for other purposes; to the Committee on Banking and Currency.

(See the remarks of Mr. WILLIAMS of Delaware when he introduced the above bill, which appear under a separate heading.)

By Mr. JAVITS (for himself and Mr. RANDOLPH):

S. 1041. A bill to strengthen and improve State and local programs to combat and control juvenile delinquency; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. JAVITS when he introduced the above bill, which appear under a separate heading.)

By Mr. ENGLE (for Mr. MAGNUSON) (by request):

S. 1042. A bill to amend section 212(a) of the Interstate Commerce Act, as amended, and for other purposes; and

S. 1043. A bill to amend section 222(b) of the Interstate Commerce Act with respect to the service of process in enforcement proceedings, and for other purposes; to the Committee on Interstate and Foreign Commerce.

(See the remarks of Mr. ENGLE when he introduced the above bills, which appear under a separate heading.)

By Mr. ENGLE (for Mr. MAGNUSON) (by request):

S. 1044. A bill to amend the Communications Act of 1934 to authorize the Federal Communications Commission to issue rules and regulations with respect to community antenna television systems; to the Committee on Interstate and Foreign Commerce.

(See the remarks of Mr. ENGLE when he introduced the above bill, which appear under a separate heading.)

By Mr. SMATHERS:

S. 1045. A bill for the relief of Alvaro Rodriguez Jimenez;

S. 1046. A bill for the relief of Roger Robert Baudry; and

S. 1047. A bill for the relief of Jozsef Pozsonyi and his wife, Agnes Pozsonyi, and their minor child, Ildiko Pozsonyi; to the Committee on the Judiciary.

By Mr. HRUSKA (for himself, Mr. CURTIS, Mr. SCHOEPEL, and Mr. CARLSON):

S. 1048. A bill to amend section 9(d) (1) of the Reclamation Project Act of 1939 (53 Stat. 1187; 43 U.S.C. 485); to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. HRUSKA when he introduced the above bill, which appears under a separate heading.)

By Mr. HRUSKA (for himself, Mr. CURTIS, Mr. CAPEHART, Mr. LAUSCHE,

Mr. YOUNG of North Dakota, Mr. HICKENLOOPER, Mr. BENNETT, Mr. ALLOTT, and Mr. HUMPHREY):

S. 1049. A bill to amend the Federal Property and Administrative Services Act of 1949 to require the disposal of certain surplus land for use in the production of crops through the operation of family-type farms, and for other purposes; to the Committee on Government Operations.

(See the remarks of Mr. HRUSKA when he introduced the above bill, which appear under a separate heading.)

CONCURRENT RESOLUTION

SALUTE TO "UNCLE SAM" WILSON, OF TROY, N.Y., AS AMERICA'S NATIONAL SYMBOL OF "UNCLE SAM"

Mr. JAVITS (for himself and Mr. KEATING) submitted a concurrent resolution (S. Con. Res. 14); which was referred to the Committee on the Judiciary, as follows:

Whereas in a world largely hostile to the idea of freedom we must keep alive the cherished values of our way of life; and

Whereas at a moment in our history when we need all our sense of purpose and capability to match the challenge of disciplined communism some say that our national symbol of "Uncle Sam" is archaic and should be disowned; and

Whereas the symbol of "Uncle Sam" was evoked out of the needs of a young nation, and is linked to a grass roots character, Samuel Wilson, of Troy, New York, who still represents the strength and idealism that made up the greatest nation in the world; and

Whereas the story of Samuel Wilson's life, from his early colonial beginnings in Old Menotomy (later West Cambridge, now Arlington, Massachusetts), to his rise to prominence and great public affection and esteem in Troy, New York, where the sobriquet of "Uncle Sam" was given him, is an abridged story of America; and

Whereas the years 1766 to 1854, the years in which Samuel Wilson lived, witnessed the birth and glorious progress of the United States, spanning as they did the period before the Declaration of Independence to the emergence of the United States as a world power; and

Whereas no congressional action has ever been taken to make the symbol of that American tradition, the symbol of "Uncle Sam" official and permanent: Therefore be it

Resolved by the Senate (the House of Representatives concurring), That the Congress salutes "Uncle Sam" Wilson, of Troy, New

York, as the progenitor of America's national symbol of "Uncle Sam," and also recognizes Arlington, Massachusetts, famed in the history of America's dawning years, as the birthplace of the said Samuel Wilson.

RESOLUTIONS

PERMANENT FORCE IN THE UNITED NATIONS TO AID IN MAINTAINING PEACE AMONG NATIONS

Mr. CASE of New Jersey (for himself, Mr. KEATING, and Mr. JAVITS) submitted a resolution (S. Res. 92) establishing a permanent force in the United Nations to aid in maintaining peace among nations, which was referred to the Committee on Foreign Relations.

(See the above resolution printed in full when submitted by Mr. CASE of New Jersey, which appears under a separate heading.)

AUTHORIZATION FOR JOHN G. BONOMI TO TESTIFY FOR THE GOVERNMENT IN THE CASE OF THE UNITED STATES AGAINST PAUL JOHN CARBO ET AL.

Mr. DIRKSEN, from the Committee on the Judiciary, reported an original resolution (S. Res. 93) authorizing John G. Bonomi, assistant counsel of the Subcommittee on Antitrust and Monopoly of the Committee on the Judiciary to appear and testify in the case of the United States against Paul John Carbo et al. which was considered and agreed to.

(See the above resolution printed in full when reported by Mr. DIRKSEN, which appears under a separate heading.)

NATIONAL ECONOMIC COUNCIL FOR SECURITY AND PROGRESS

Mr. WILEY. Mr. President, I introduce, for appropriate reference, a bill to establish a National Economic Council for Security and Progress. The purpose of the Council—similar to the National Security Council—would be to:

First. Carry out top-level, long-range planning of economic policies and programs;

Second. Dedicate its efforts to maintain a balanced economy—minimizing the up-and-down fluctuations—particularly the down—of the economic cycles;

Third. Provide guidance for—but not control of—our free enterprise system to meet the challenges at home and abroad;

Fourth. Better coordinate activities of Federal departments and agencies relating to national economic policy and development;

Fifth. And, generally, sharpen up policymaking and planning to better enable the United States to play its economic role in the world economy.

I request unanimous consent to have the bill itself and a brief supplemental statement printed at this point in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill and supplemental statement will be printed in the RECORD.

The bill (S. 1026) to establish a National Economic Council for Security and Progress to provide planning and to coordinate programs to meet the Communist challenge in the economic sphere, introduced by Mr. WILEY, was received, read twice by its title, referred to the Committee on Government Operations, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Congress finds and declares that the economic challenge posed to the free world by international communism is one of the most serious aspects of the "cold war". That war may well be won or lost in the markets of the world and on the production line. Increased production and expanding markets, however, can only be achieved in an economy which is not crippled by inflation.

To this economic struggle the Communist nations are openly committed and fully mobilized. On its outcome rests the survival of the democratic way of life. It is the purpose of this Act to provide for the top-level Government planning and for the coordination of programs and policies necessary to meet the challenge.

SEC. 2. (a) There is hereby established a council to be known as the National Economic Council for Security and Progress (hereinafter referred to as the "Council").

(b) The Council shall be composed of—
 (1) the President;
 (2) the Secretary of the Treasury;
 (3) the Secretary of Commerce;
 (4) the Secretary of Labor;
 (5) the Chairman of the Board of Governors of the Federal Reserve System;
 (6) the Chairman of the Council of Economic Advisers;
 (7) the Director of the Bureau of the Budget; and
 (8) such other officers of the Government as the President shall from time to time designate.

(c) The President shall preside over meetings of the Council; except that in his absence he may designate a member of the Council to preside in his place.

(d) The Council shall have a staff to be headed by a civilian executive secretary who shall be appointed by the President, and who shall receive compensation at the rate of \$20,000 a year. The Executive Secretary subject to the direction of the Council, may, in accordance with the civil service laws and the Classification Act of 1949, appoint and fix the compensation of such personnel as may be necessary to carry out such duties as may be prescribed by the Council.

SEC. 3. The function of the Council shall be to advise the President with respect to the integration of policies relating to national and international economic development so that the departments and agencies of the Government may cooperate more effectively in matters involving both the economic development of the United States and the role of the United States in the world economy. The duties of the Council in carrying out its function, shall include, without being limited to, the following:

(1) the development of recommendations for improving national economic policies and programs at home and abroad after careful review and analysis thereof;

(2) the reevaluation of, and the making of recommendations with respect to, specific trade situations, including—

(a) developing new commodities and finding new markets for an expanding national production,

(b) determining the effect of automation on employment, industry, and economic progress,

(c) ascertaining the impact of imports on the domestic economy, and

(d) coping with the growing volume of Communist-produced goods on the world market;

(3) the development of recommendations for coordinating more effectively the economic policies of nations of the free world for the purpose of assuring maximum opposition to Communist economic expansion; and

(4) the development of recommendations for fostering and promoting greater cooperation between the Government and private enterprise to improve markets, stop inflation, expand trade, and meet the needs of consumers at home and abroad.

SEC. 4. The Council shall, from time to time, make such reports to the President as it deems appropriate, or as the President may require.

SEC. 5. Such sums as may be necessary to carry out the provisions of this Act are hereby authorized to be appropriated.

The supplemental statement presented by Mr. WILEY is as follows:

SUPPLEMENTAL STATEMENT

Economywise, our country, today, is faced with challenges and opportunity.

At home, we are experiencing too much unemployment—estimated at about 5½ million—and business and industrial lags.

The outflow of U.S. dollars is threatening our gold reserve.

A production-consumption imbalance exists—with some folks not sharing proportionately in our production of the good things of life.

Segments of the domestic economy are suffering the impact of imported foreign goods.

Barriers abroad still impede the flow of U.S. commodities in international trade.

Over two-thirds of the nearly 3 billion people in the world—a great untapped potential market—exist on tragically low standards of living, needing literally everything.

Our great agricultural and industrial production plants—with ever-increasing capacity resulting from greater worker efficiency and automation—must find new markets.

Globally, we are in a battle with the Communists for our economic life.

To meet these, and other challenges, we must design more effective economic policies. Our defense—our economic stability and progress—the welfare of our people: All of these depend upon the maintenance of a strong, sound economy.

In a forward-moving world, policies of a crisis-to-crisis, opportunity-to-opportunity nature are inadequate to the times. Specific steps that can, and should, be taken, I believe, include a comprehensive study of the following:

A global survey for markets for United States-produced products.

Analysis of world needs for new, or different, products that can be produced by our farms and factories.

Renewed efforts to tear down the barriers that now prevent the flow of goods—many of which are in surplus—to potential consumers elsewhere in the world.

Reassessing the impact of the growing competition from the Communist bloc.

Survey of fundamental shipping problems, including trade routes, subsidization of shipping, development of adequate port and harbor cargo-handling facilities, further revision of tariffs, quotas, and other barriers to U.S. products in international competition.

To help accomplish these objectives, I am introducing legislation to create a National Economic Council. If established, the agency could help to:

Maintain a balanced Federal budget.

Minimize the up-and-down—particularly the down—fluctuations of the economic cycles.

Reverse the slowdowns in business and industrial activities, and deal more effectively with large-scale unemployment and recessions.

Generally help the United States to prosper economically and to play a proportionate role in the world economy.

During the 86th Congress, I introduced a bill, S. 2080, for such a council. Unfortunately, no final action was taken by the Congress. The magnitude of our current economic problems, however, provides new evidence on the need for such a top-level agency to guide U.S. economy.

The establishment of the Council would, I believe, enable the United States to meet its obligations and responsibilities—and take better advantage of the opportunities—to pave the way for a brighter economic future for our people and the country.

IMPROVEMENT OF HEALTH AND SAFETY CONDITIONS IN CERTAIN MINES AND QUARRIES

Mr. METCALF. Mr. President, on behalf of myself and Senators CARROLL, HART, MCCARTHY, MAGNUSON, MORSE, MOSS, and PROXMIER, I introduce, for appropriate reference, a bill to improve health and safety conditions in metal and nonmetallic mines and quarries, products from which enter or affect commerce.

I ask unanimous consent that the bill be printed in the RECORD at the conclusion of my remarks.

Mr. President, during the 84th Congress, I headed the Subcommittee on Mine Safety and Health Inspections and Investigations of the House Committee on Education and Labor.

Following is the unanimous report of that subcommittee, dated December 11, 1956, and printed as part of voluminous hearings, which included testimony from mine workers, operators, and owners, and experts from the U.S. Bureau of Mines and the Public Health Service:

REPORT OF SUBCOMMITTEE ON MINE SAFETY— (METALLIC AND NONMETALLIC MINES)

The Subcommittee of the House Committee on Education and Labor on Mine Safety in Metallic and Nonmetallic Mines has studied safety conditions in those mines by field inspections and observations in Virginia, Hibbing, and Duluth, Minn., in Butte, Mont., and Ouray, Colo., and has held 3 days' hearings in Washington, where witnesses from the mining industry, labor, the U.S. Bureau of Mines and the U.S. Public Health Service were heard.

Based upon these on-the-spot investigations and observations by the subcommittee members and upon the formal hearings, the subcommittee is of the unanimous opinion that the overall subject of safety in the Nation's metallic and nonmetallic mines should be given further study, and that additional investigations should be made in Michigan, Alabama, Colorado, the tristate area of Kansas, Oklahoma, and Missouri, and such other places as a subsequent committee might find necessary.

The subcommittee recommends to the chairman and to the full Committee on Education and Labor of the U.S. House of Representatives that a new subcommittee be appointed in the 85th Congress, and that the hearings mentioned above, plus such other hearings as may be indicated, be held to

the end that the subject of safety in metallic and nonmetallic mines be thoroughly explored.

Respectfully submitted.

LEE METCALF, *Chairman.*
CARL ELLIOTT.
PHIL M. LANDRUM.
JOHN J. RHODES.
ORVIN B. FJARE.

DECEMBER 11, 1956.

Mr. President, the bill we had before us then was the legislation we are introducing today. It would empower the Secretary of the Interior, acting through the Bureau of Mines, to inspect and investigate metallic and nonmetallic mines and quarries, products of which regularly enter or substantially affect commerce, to get information on health and safety conditions, causes of accidents involving bodily injury or loss of life, and causes of occupational diseases.

This information would be a basis for determining the most effective use of public funds for the protection or advancement of public health and safety, preparation and dissemination of educational materials in the interest of health and safety. It also would be the basis for reports to Congress for our consideration.

The Secretary of the Interior would report to the Congress annually the findings of the Bureau of Mines inspections, together with his comments and recommendations for such legislative action as he may deem proper.

The bill would also promote cooperation between Federal and State agencies in improving mine safety, and authorizes establishment of a six-member advisory committee, composed of representatives of metallic and nonmetallic mine and quarry owners and workers. The advisory committee, working with the Bureau of Mines, would be charged with developing a code of reasonable standards and rules pertaining to safety and health conditions and practices in metallic and nonmetallic mines and quarries to serve as a guide for making recommendations under this act.

Testimony before my subcommittee brought out that mining is unusually hazardous. It is especially so in underground mining, where the workers are exposed to all the common hazards endured by workers in manufacturing plants, plus a large number of uncommon hazards peculiar to mining—dusts, gases, sudden and extreme changes in temperatures, and the possibility of suffering injury from falling ground, haulage equipment, falls, and explosions, to name a few.

This is further complicated by the changing character of the industry. Mechanization brings additional health and safety risks, which apparently are not being met by older remedies. In underground mining, for example, we now have greater use of block-caving, faster drilling machines, automatic conveyor belts, and much faster handling of ore and materials.

Mechanization means more ore and production—and also more and greater hazards—including dust. The most serious hazard facing workers in hard-rock

mining and milling—and this Nation's major occupational disease—is silicosis, caused by the inhalation of excessive amounts of silica dust.

Silicosis is of immediate importance—in the number of persons with the disease, its effects, and the staggering cost of disability. There is no known cure for silicosis. No one knows for sure how many workers are infected.

Public Health Service statistics, showing 10,362 cases compensated in 22 States from 1950 through 1954, are virtually meaningless. Vital statistics records show more than 10,000 deaths from occupational chest diseases in the United States during the same period. According to the Public Health Service, 2,000 of the silicotics reported in its survey were dead. So if the total number of cases is actually five times the number compensated—as the number of deaths is five times the figure recorded by the Public Health Service survey—we are dealing with a disease that has disabled 40,000 men, and many thousands more are in the earlier stages.

In Montana, the Public Health Service survey lists 588 cases. In Montana, we compensate only those persons totally disabled by silicosis. So the Montana report lists only those in the third, or disabling, stage. No one knows how many are in the earlier stages.

The survey shows 81 cases of silicosis in Idaho. Workmen's compensation in Idaho is handled by private insurance companies, or by the employer. So the State workmen's compensation division receives a report only of those cases which are contested.

To summarize the record on silicosis presented to my subcommittee, more than 10,000 deaths from occupational chest diseases in the 5 years, 1950 through 1954; 10,362 cases of silicosis compensated, or reported in one form or another, in 22 States during those same 5 years; and an estimated annual compensation cost of more than \$6 million in only 14 States.

In order to fight silicosis, we must know more about where, when, and under what conditions it occurs. We must know how many people have it. Only with this knowledge can we effectively direct our efforts to its control and eventual prevention.

During the course of our hearings, in 1956, we became aware of another acute problem in the mine safety field—the almost complete absence of up-to-date information on mine accidents. For example, late in 1956 we were still using figures as much as 6 years old for accidents in the metallic and nonmetallic mines. This was a matter of concern, not only to the members of the subcommittee, but also to management and labor. The witnesses who appeared before us disagreed on many things. They agreed on one—the need for the expansion of research, and health, and safety education, to improve techniques in mine accident prevention.

I presented this testimony to subcommittees of the House Committee on Appropriations in 1957. There were in-

creases voted for these information programs. They were a step in the right direction. Others must be taken. We are concerned here with human lives. We share a common purpose of seeking to save, and to prolong the lives of present, and future, generations of men who work in this basic domestic industry.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 1034) relating to certain inspections and investigations in metallic and nonmetallic mines (excluding coal and lignite mines) for the purpose of obtaining information relating to health and safety conditions, accidents, and occupational diseases therein, and for other purposes, introduced by Mr. METCALF (for himself and other Senators), was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior, acting through the United States Bureau of Mines, is hereby authorized and empowered to make or cause to be made annual or necessary inspections and investigations in metallic and nonmetallic mines the products of which regularly enter commerce or the operations of which substantially affect commerce—

(a) for the purpose of obtaining information relating to health and safety conditions in such mines, the causes of accidents involving bodily injury or loss of life therein, or the causes of occupational diseases originating therein, whenever such health or safety conditions, accidents, or occupational diseases burden or obstruct commerce or threaten to burden or obstruct commerce;

(b) for the purpose of obtaining information relating to health and safety conditions in such mines, the causes of accidents involving bodily injury or loss of life therein, or the causes of occupational diseases originating therein, as a basis for determining the most effective manner in which the public funds made available for the protection or advancement of health or safety in metallic and nonmetallic mines, and for the prevention or relief of accidents or occupational diseases therein, may be expended for the accomplishment of such objects;

(c) for the purpose of obtaining information relating to health and safety conditions in such mines, the causes of accidents involving bodily injury or loss of life therein, or the causes of occupational diseases originating therein, as a basis for the preparation and dissemination of reports, studies, statistics, and other educational materials pertaining to the protection or advancement of health or safety in metallic and nonmetallic mines and to the prevention or relief of accidents or occupational diseases therein;

(d) for the purpose of obtaining information relating to accidents involving bodily injury or loss of life in such mines, or relating to occupational diseases originating therein, to be transmitted to the Bureau of the Census for use in connection with the preparation and compilation of the various census reports; and

(e) for the purpose of obtaining information relating to health and safety conditions in such mines, the causes of accidents involving bodily injury or loss of life therein, or the causes of occupational diseases originating therein, to be transmitted to the Congress for its consideration in connection

with legislative matters involving health and safety conditions, accidents, or occupational diseases in metallic and nonmetallic mines.

SEC. 2. The Secretary of the Interior, acting through the United States Bureau of Mines, is further authorized and empowered to make or cause to be made the inspections and investigations provided for in the first section of this Act at other than annual intervals at any time in his discretion when the making of such inspections or investigations in the mine concerned will be in furtherance of the purposes of this Act.

SEC. 3. The Secretary of the Interior, acting through the United States Bureau of Mines or any duly authorized representative of such Bureau, shall be entitled to admission to any metallic and nonmetallic mine, the products of which regularly enter commerce or the operations of which substantially affect commerce, for the purpose of making any inspection or investigation authorized under the preceding sections of this Act.

SEC. 4. Any owner, lessee, agent, manager, superintendent, or other person having control or supervision of any metallic and nonmetallic mine subject to the provisions of section 1 or section 2 of this Act who refuses to admit the Secretary of the Interior, acting through the United States Bureau of Mines, or any duly authorized representative of such Bureau, to such mine, pursuant to the provisions of section 3 of this Act shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine not exceeding \$500 or by imprisonment not exceeding sixty days, or by both.

SEC. 5. Every owner, lessee, agent, manager, superintendent, or other person having control or supervision of any metallic and nonmetallic mine, the products of which regularly enter commerce or the operations of which substantially affect commerce, shall furnish to the Secretary of the Interior, acting through the United States Bureau of Mines, or to any duly authorized representative of such Bureau, upon request, complete and correct information to the best of his knowledge concerning any or all accidents involving bodily injury or loss of life which occurred in such mine during the calendar year in which the request is made or during the preceding calendar year.

SEC. 6. The Secretary of the Interior, acting through the United States Bureau of Mines, is hereby authorized and directed—

(a) to report annually to the Congress, either in summary or detailed form, the information obtained by him under this Act, together with such findings and comments thereon and such recommendations for legislative action as he may deem proper.

(b) to compile, analyze, and publish, either in summary or detailed form, the information obtained by him under this Act, together with such findings concerning the causes of unhealthy or unsafe conditions, accidents, or occupational diseases in metallic and nonmetallic mines, and such recommendations for the prevention or amelioration of unhealthy or unsafe conditions, accidents, or occupational diseases therein as he may deem proper;

(c) to prepare and disseminate reports, studies, statistics, and other educational materials pertaining to the protection or advancement of health or safety in metallic and nonmetallic mines and to the prevention or relief of accidents or occupational diseases therein;

(d) to expend the funds made available to him for the protection or advancement of health or safety in metallic and nonmetallic mines, and for the prevention or relief of accidents or occupational diseases therein, in such lawful manner as he may deem most effective in the light of the information ob-

tained under this Act to promote the accomplishment of the objectives for which such funds are granted;

(e) to transmit to the Director of the Census, either in summary or detailed form, the information obtained by him under this Act, for use in connection with the preparation and compilation of the various Census reports; and

(f) to make available for public inspection either in summary or detailed form, the information obtained under this Act, as soon as practicable after the acquisition of such information.

SEC. 7. The execution of the provisions of this Act shall devolve upon the United States Bureau of Mines and the Secretary of the Interior may designate other bureaus or offices in the Department of the Interior to cooperate with the United States Bureau of Mines for such purpose. In order to promote sound and effective coordination of Federal and local activities within the field covered by this Act, the Secretary of the Interior, and the several bureaus and offices under his jurisdiction, shall cooperate with the official mine inspection or safety agencies of the several States and Territories, and, with the consent of the proper authorities thereof, may utilize the services of such agencies in connection with the administration of this Act. Copies of all findings, recommendations, reports, studies, statistics, and information made public under the authority of clauses (b), (c), and (f) of section 6 of this Act shall, whenever practicable, be furnished any cooperating State or Territorial agency which may request the same.

SEC. 8. (a) The Secretary of the Interior, acting through the United States Bureau of Mines, shall create and establish an advisory committee composed of not more than six members to exercise consultative function in connection with the administration of this Act. Such committee shall be composed of representatives of metallic and nonmetallic mine owners and of representatives of metallic and nonmetallic mine workers in equal number. The members of such committee shall be appointed by the Secretary of the Interior without regard to the civil-service laws.

(b) The advisory committee in cooperation with the Bureau of Mines shall promulgate a code of reasonable standards and rules pertaining to safety and health conditions and practices in metallic and nonmetallic mines to serve as a guide for making recommendations under this Act.

SEC. 9. The Secretary of the Interior, acting through the United States Bureau of Mines, shall have authority to appoint, subject to the civil-service laws and the Classification Act of 1949, as amended, such officers and employees as he may deem necessary to carry out the provisions of this Act, and to prescribe the powers, duties, and responsibilities of such officers and employees.

SEC. 10. There are hereby authorized to be appropriated, out of any moneys in the Treasury not otherwise appropriated, such sums as may be necessary to carry out the provisions of this Act.

SEC. 11. For the purposes of this Act—

(1) The term "commerce" means trade, traffic, commerce, transportation, or communications between any State, Territory, possession, or the District of Columbia and any other State, Territory, possession of the United States, or between any State, Territory, possession, or the District of Columbia and any foreign country, or wholly within any Territory, possession, or the District of Columbia, or between points in the same State if passing through any other State or through any Territory, possession, or the District of Columbia or through any foreign country.

(2) The term "metallic and nonmetallic mines" includes all types of mines and mining operations, except that it shall not be deemed to include coal and lignite mines.

Sec. 12. If any provision of this Act, or the application thereof to any persons or circumstances, is held invalid, the remainder of this Act, and the application of such provision to other persons or circumstances, shall not be affected thereby.

CIVIL REDRESS TO PERSONS DAMAGED BY UNFAIR COMMERCIAL ACTIVITIES IN OR AFFECTING COMMERCE

Mr. JAVITS. Mr. President, I introduce, for appropriate reference, a bill to provide civil redress to persons damaged by unfair commercial activities in or affecting commerce. This is a bill recommended by a committee of the Association of the Bar of the City of New York. It is a bill of the greatest importance with respect to fair competition in trade.

Mr. President, I ask unanimous consent that the recommendations of the committee of the Association of the Bar of the City of New York and an explanatory statement of the bill be printed in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the recommendations and statement will be printed in the RECORD.

The bill (S. 1036) to provide civil remedies to persons damaged by unfair commercial activities in or affecting commerce, introduced by Mr. JAVITS, was received, read twice by its title, and referred to the Committee on Interstate and Foreign Commerce.

The recommendations and statement presented by Mr. JAVITS are as follows:

ASSOCIATION OF THE BAR OF THE CITY OF NEW YORK, COMMITTEE ON TRADEMARKS AND UNFAIR COMPETITION, PROPOSED FEDERAL UNFAIR COMMERCIAL ACTIVITIES ACT

If there is one matter on which members of the bar familiar therewith are in accord, it is the need for a Federal law giving relief to private parties against unfair competition.¹ For that reason, this report will be concise. The fact that there is a wealth of statutes granting remedies against false advertising, for instance, available to the Federal and State Governments² does not

¹ For a more complete survey of the law, see: Lunsford, "Unfair Competition: Uniform State Act Needed," 44 Va. L. Rev. 583 (1958); Derenberg, "Federal Unfair Competition Law at the End of the First Decade of the Lanham Act: Prologue or Epilogue?" 32 N.Y.U. L. Rev. 1029 (1957); Weil, "Protectability of Trade Mark Values Against False Competitive Advertising," 44 Calif. L. Rev. 527 (1956); Callman, "False Advertising as a Competitive Tort," 48 Col. L. Rev. 876 (1948); Bunn, "The National Law of Unfair Competition," 62 Harv. L. Rev. 987 (1949).

² Illustrative of statutes on the Federal level are sec. 5 of the Federal Trade Commission Act, 15 U.S.C.A. 45 and the Postal Fraud Order Statutes, 39 U.S.C.A. 259, 732. A complete list of Federal statutes on this subject is set out in appendix VI A to note, "The Regulation of Advertising," 56 Col. L. Rev. 1019, 1097-1098. Most States have what are commonly known as Printers' Ink statutes. An exhaustive list of State statutes on this subject is set out in appendix VI B, op. cit., supra, 1098-1111.

in the least detract from the fact that additional remedies are needed in order effectively to protect private parties who cannot commercially depend in this area upon slow, cumbersome, and often ineffective, governmental action limited to matters of general public interest.

Initially, the need for a uniform Federal law was fulfilled, at least partially, by the creation of a Federal common law which, commencing with the landmark decision by Judge Learned Hand in the U.S. Court of Appeals for the Second Circuit in 1928 in *Yale Electric Corporation v. Robertson* (26 F. 2d 972), in part overcame the anachronisms apparent in prior Federal and State decisions on the subject³ and gave those engaged in interstate commerce some protection. However, the Supreme Court of the United States in 1938 in *Erie Railroad Company v. Tompkins* (304 U.S. 64), held that the Federal courts could not create a Federal common law but that each court must follow the common law of the State in which it sits.

The chaos created in the unfair competition field by the *Erie Railroad* decision was thought to have been partially cured by the enactment of the Lanham Act (15 U.S.C., secs. 1051-1127) in 1946. That hope, however, proved ill-founded for the Federal courts of this country are squarely split as to whether sections 43 and 44 of that act create a Federal law partially covering the unfair competition field.⁴ The Supreme Court has refused to review that disagreement. Present Federal relief for unfair competition is thus, at best, tenuous.

The net result of *Erie Railroad* plus divergent interpretations of the Lanham Act is to leave those engaged in interstate commerce at best in an uncertain position subject to varying State laws and courts. Yet many of the State courts have never had any experience with unfair competition problems and, in addition, those courts are reluctant to impose standards upon the conduct of business outside their particular State. But if a product is to be merchandised and sold from Maine to California, it is imperative that protection be equally accorded throughout the country.

We do not dwell further on the need for this legislation—that fact is self-evident. In order to meet that need, the committee on trademarks and unfair competition of the Association of the Bar of the City of New York has studied the problem during the last 3 years and has attempted to draft a proposed statute.

However, these efforts have led to the conclusion by the committee that reconciliation of the many diverse views of Federal and State courts as to the precise nature of unfair competition and its inherently nebulous nature is an impracticable task in that any precisely definitive statute could and probably would have a stultifying effect on the courts and thus lead to more rather than less confusion in the future. Notwithstanding

³ Illustrative of those decisions are *New York & R. Cement Co. v. Coplay Cement Co.*, 44 Fed. 277 (E.D. Pa. 1890); *American Washboard Co. v. Saginaw Mfg. Co.*, 103 Fed. 281 (6th Cir. 1900); *Borden Ice Cream Co. v. Borden's Condensed Milk Co.*, 201 Fed. 510 (7th Cir. 1912); *Borden's Condensed Milk Co. v. Horlick's M. M. Co.*, 206 Fed. 949 (E.D. Wis. 1913); *Armstrong Cork Co. v. Ringwalt Linoleum Works*, 235 Fed. 458 (D.N.J. 1916); *Mosler Safe Co. v. Ely-Norris Safe Co.*, 273 U.S. 132 (1927).

⁴ The 3d and 9th circuits interpret sec. 43 as creating such a cause of action but the 2d circuit apparently disagrees. The 9th circuit and Court of Customs and Patent Appeals interpret sec. 44 as creating such a cause of action but the 2d, 3d, 5th, and 7th circuits disagree. See also 28 U.S.C.A. sec. 1338b.

ing that basic problem, we propose favorable consideration to a relatively broad statute so phrased that it will give the courts direction in a general way and still afford sufficient freedom of judgment to accommodate the facts and circumstances that are peculiar to each of the myriad of unfair competition situations that come before the courts. With such general direction afforded by the proposed statute, the Federal jurisdictions may be expected eventually to establish a workable national business morals substantive law which will be interpretive of the relatively broad statute that we propose.⁵

Because of the aforementioned confusion created by *Erie v. Tompkins*, we deem it imperative that to be workable any unfair competition statute must unshackle the Federal courts from the overpowering local State law to which they are now fettered. Inasmuch as that can be done only by statute, the proposed unfair competition statute should contain a provision to that effect.

A copy of the proposed statute is attached hereto as exhibit A and is self-explanatory. It has the approval of our committee and merits favorable consideration.

Respectfully submitted.

Harold R. Medina, Jr., Chairman; Stuart H. Aarons, Rynn Berry, George M. Chapman, John H. Cleary, Jr., John J. Cooke, John N. Cooper, Sidney A. Diamond, Walter H. Free, Werner Janssen, Jr., Louis Kunin, Harry R. Olsson, Jr., E. Gabriel Perle, Robert D. Rickert, Alfred H. Wasserstrom, John A. Wortmann.

MARCH 18, 1959.

H.R. 7833—AN EXPLANATORY STATEMENT

H.R. 7833 is the Lindsay bill "to provide civil remedies to persons damaged by unfair commercial activities in or affecting commerce." If enacted, it would create a new Federal statute dealing with unfair competition. The text of the bill itself is relatively simple, but the need for such a statute and the reasons for some of its provisions may require explanation.

The fundamental purpose of the bill is to provide a basis for the development of a uniform body of Federal law in the field of unfair competition. In the years prior to 1938, great progress had been made in this direc-

⁵ This suggestion finds analogy in a recent (1957) admonition by the Supreme Court in *Textile Workers Union of America v. Lincoln Mills of Alabama* (353 U.S. 448) involving a dispute as to the proper interpretation of sec. 301 of Labor Management Relations Act of 1947 (61 Stat. 156, 29 U.S.C. 185), particularly subdivision (a) thereof, which broadly prescribes:

"Suit for violation of contracts between an employer and a labor organization representing employees in an industry affecting commerce as defined in this chapter, or between any such labor organizations, may be brought in any district court of the United States having jurisdiction of the parties, without respect to the amount in controversy or without regard to the citizenship of the parties."

The majority opinion by Mr. Justice Douglas (Mr. Justice Frankfurter dissenting) reviewed the two different constructions placed on sec. 301(a) by the lower courts, one concluding, in effect, that this section would not be the source of substantive law, and the other (which the majority adopted) "that it authorizes Federal courts to fashion a body of Federal law for the enforcement of these collective-bargaining agreements and includes within that Federal law specific performance of promises to arbitrate grievances under collective-bargaining agreements." (Citing Judge Wyzanski's opinion in *Textile Workers Union v. American Thread Co.* at 113 F. Supp. 137.)

tion by the decisions of the Federal courts. Then the U.S. Supreme Court's decision in *Erie v. Tompkins* (304 U.S. 64 (1938)), denied the existence of a Federal common law and required instead that the Federal judiciary apply State law. There is obvious logical justification for this rule, because it prevents the accidental availability of Federal jurisdiction from affecting the law applicable to a given controversy. It is generally agreed, however, that this checker-board approach is inappropriate for dealing with unfair competition. Modern business activities so frequently are national in scope that there is no serious dissent from the view that uniformity throughout the country in the law of unfair competition would be desirable.

Some commentators believed the problem had been solved by the passage of the Lanham Act in 1946. In particular, section 44 provides protection for foreign nationals against unfair competition, and also provides that citizens of the United States shall have all the benefits conferred by the act upon foreign citizens. It was thought that this would be the basis for Federal jurisdiction over unfair competition causes. The statute has been so construed only in the ninth circuit, however, so it is fairly clear that section 44 will not serve as the route to nationwide uniformity.

There is less doubt about the availability of Federal jurisdiction under section 43(a) of the Lanham Act. But that section has proved to have little practical significance. It is invoked only rarely; and, in any event, it is limited by its terms to false descriptions and false representations of origin.

H.R. 7833 attacks the problem directly by creating a new cause of action and giving exclusive jurisdiction over it to the Federal district courts, without regard to the amount in controversy or the diversity or lack of diversity of citizenship of the parties (sec. 8). The availability of this new cause of action does not diminish existing rights to proceed under State or other Federal law; it is specifically provided that relief pursuant to the proposed new statute shall be in addition to those rights and remedies otherwise available (sec. 4).

The heart of H.R. 7833 is section 2, which lists the "unfair commercial activities" that are made actionable. The expression "unfair commercial activities" was selected deliberately because it was felt that "unfair competition" might be construed as a limitation. As additional assurance of a broad construction, section 3 provides that absence of competition between the parties shall not be a defense to an action brought under the statute.

The list of unfair commercial activities in section 2 represents a carefully chosen compromise between the futility of attempting to define every type of conduct intended to be prohibited, and the equal futility of simply stating that unfair acts shall be deemed unlawful. The former alternative, apart from its practical impossibility, would have created an environment in which defendants constantly could have sought justification for their acts under the expressio unius rule; while the latter would not have been sufficiently precise to serve as a basis for the desired uniformity of decisions throughout the Federal judicial system.

There are just four subparagraphs in section 3. Although most of these are self-explanatory, a few comments may be helpful. Section 2(a)(3), in effect, is a Federal anti-dilution statute. Section 2(b) covers false or misleading statements of fact in order to avoid prohibiting anyone from stating his opinion. Since section 2(b) applies to statements about the goods or services of either party, it includes trade libel as well as false advertising and thus removes any doubt about the availability of injunctive relief for this type of defamation. Section 2(c) is a

deliberate catchall; in particular, the use of the expression "reasonable standards of commercial ethics" is intended to provide Federal judges with the opportunity to apply the liberal standards of such New York State decisions as *Dior v. Milton* (9 Misc. 2d 425, affd., 2 App. Div. 2d 878 (1st Dept. 1956)), and *Miller v. Universal Pictures Company* (188 N.Y.S. 2d 386, 121 U.S.P.Q. 475 (Sup. Ct. 1959)), free from the hampering effect of any archaic rulings in the States where they sit, or in their Federal circuits. The purpose of section 2 is to establish guideposts for the Federal courts that are definite enough to identify the principal types of unlawful activity and yet allow the flexibility that is essential in a field where rapid technological advances in business and communications constantly create new opportunities for exploitation by the unscrupulous few.

Patent and copyright infringement are excluded from the scope of "unfair commercial activities" by section 7. This was done to meet possible criticism that the new statute might otherwise be used to extend the scope or duration of a patent or copyright monopoly. It was not considered feasible or proper to exclude trademark infringement, because many forms of unfair commercial activities affect trademark rights, and also because the objection about extending duration does not apply to trademarks since they may continue in perpetuity.

The right of action against unlawful commercial activities is created by section 1 of the bill. The action is for an injunction; no damages may be recovered. There are several reasons for this. Plaintiffs in most cases of this nature are interested primarily in bringing about the cessation of the unlawful acts rather than collecting damages, which may be difficult to prove even in the best of circumstances. The elimination of any provision for damages should prevent the use of the new cause of action as the basis for strike suits. At the same time, it was felt that a party with a genuine claim should not be deterred from bringing an action because of its expense; accordingly, the bill provides that a judgment for costs, reasonable attorneys' fees and disbursements may be granted to a successful plaintiff in addition to injunctive relief.

Any person "damaged or likely to be damaged" by unfair commercial activities is entitled to sue under section 1. The phrase "likely to be damaged" is borrowed from section 43(a) of the Lanham Act (similar language will be found in secs. 13 and 14, dealing with opposition and cancellation) while the troublesome concept "believes that he is" has not been carried over from the Lanham Act. The words "damaged or" were inserted to avoid any possible argument that the statute applied only where no damage had yet occurred. On the other hand, section 3 makes it clear that actual damage is not required as a prerequisite to suit.

The right of action under section 1 is available against unfair commercial activities in or affecting commerce and the term "commerce" is defined in section 9 as "all commerce which may lawfully be regulated by Congress." This makes it clear that the broadest possible scope is intended; specifically, intrastate acts that affect interstate commerce are covered. In addition, section 9 contains a statement of the intent of the statute, which includes the protection of "any person engaged in interstate commerce" against unfair commercial activities "whether used or committed locally or in interstate commerce."

Innocent publishers and broadcasters are protected by section 5, which not only makes the absence of knowledge or intent a defense in an action against a publisher or broadcaster, but provides specifically that the burden of proving knowledge or intent is on the plaintiff. Furthermore, in order to avoid

unnecessarily severe economic consequences to media of communication, section 6 provides that relief under the statute shall not be available when the injunction would delay the dissemination of a particular issue of a periodical, broadcast of a radio or television program, or showing of a motion picture after the scheduled time, when the delay would be due to the method by which dissemination is customarily conducted in accordance with sound business practice, as distinguished from a device to evade the statute. A single false advertisement in a magazine, for example, would not hold up distribution of the entire issue even if the publisher did have knowledge; but the use of the same or similar advertisements in future issues could be enjoined.

H.R. 7833 has been referred to the Committee on Interstate and Foreign Commerce. The active support of all interested parties is urgently required.

ABOLITION OF FEDERAL FARM MORTGAGE CORPORATION

Mr. WILLIAMS of Delaware. Mr. President, I introduce, for appropriate reference, a bill, the purpose of which is to abolish the Federal Farm Mortgage Corporation. Last year I made an unsuccessful attempt to abolish this agency which everyone admitted had outlived its useful purpose.

Today I am making another attempt to abolish this depression-born agency whose services have not been used during the past 15 years. This agency, however, while presently dormant, still retains all of its previously conferred powers, including the power to borrow up to \$2 billion and to pledge the credit of the U.S. Government for payment.

The Federal Farm Mortgage Corporation was established by an act of Congress on January 31, 1934, primarily for the purpose of enabling the Land Bank Commissioner to make mortgage loans on farm properties on which the then existing lending authority of the Federal land banks had been restricted.

The Government held all the capital stock in this Corporation. It was authorized, subject to the approval of the Secretary of the Treasury, to issue and have outstanding at any one time \$2 billion in federally guaranteed bonds, and it could make collateral loans to the Federal land banks as well as purchase the bonds of those banks.

This Corporation did serve a necessary function during the depression years, but with the outbreak of World War II and the accompanying appreciation in Federal income and property values, the services of this agency were no longer necessary, and since the end of World War II it has not functioned as a lending agency.

In fact, the authority of the Commissioner to make mortgage loans expired on July 1, 1947, except for refinancing existing loans and no extension has been asked.

On June 30, 1955, all remaining outstanding loans and certain other assets of the Corporation were sold by the Corporation to the Federal land banks.

On September 7, 1957, all their mineral reservations remaining unsold were transferred to the Secretary of the Interior in accordance with provisions of legislation enacted in September 1950.

In September 1957 the Government's investment in the capital stock of the Corporation was fully retired.

The Corporation, however, was not abolished; it still retains its authority—subject to the approval of the Secretary of the Treasury—to issue and have outstanding at any one time \$2 billion in federally guaranteed bonds. They still have authority to make collateral loans to the Federal land banks and to purchase their bonds. This authority is not being used, but it is still there.

The Comptroller General in his annual audits of the Farm Credit Administration for the past several years, has strongly recommended that Congress take action to terminate the existence of the Corporation.

As of June 30, 1960, the only assets of the Corporation were certain notes receivable from Federal land banks in the amount of \$3,933,116. These notes represent the balance due from the sale of the loans and other assets of the Corporation to these banks, and they are payable by the representative banks in annual installments.

Collecting these annual payments on notes from the Federal land banks and then transferring the proceeds to the Federal Treasury are the only duties left for this Corporation to perform. These payments could just as easily be made direct to the Treasury.

I repeat, the Federal Farm Mortgage Corporation during the depression served a useful function. It was started at a time when the Federal land banks were not in a strong financial position, and its purpose was to support these banks by providing additional capital for loans to the farmers during the depression of the 1930's. The Federal land banks are now, however, all in a strong financial position, and everyone agrees that there is no need for any funds, or any support, from this Corporation.

Although this agency has not made any loans since the depression years, and even though the authority of the Commissioner to make mortgage loans expired on July 1, 1947, except for refinancing existing loans, we find that since 1950 over \$4 million has been appropriated to cover their administrative expenses.

Direct appropriations were suspended in 1955, during which year all loans and other assets of the Corporation were sold to the Federal land banks; however, during each of the ensuing years authority has been extended in the annual appropriation bills for the Corporation to make such expenditures from collected funds as were necessary to continue the liquidation of its assets. These expenditures, however, have been systematically reduced, and last year they were reduced to about \$5,000.

But why any expenditure? Why keep a useless agency alive when it is not needed? No agency of the Government having the power to borrow and pledge the credit of the U.S. Government in the amount of \$2 billion should be allowed to lie around waiting until some bureaucrat with a fanciful imagination decides to revive it.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 1040) to abolish the Federal Farm Mortgage Corporation, and for other purposes, introduced by Mr. WILLIAMS of Delaware, was received, read twice by its title, and referred to the Committee on Banking and Currency.

FIVE-YEAR PROGRAM TO COMBAT JUVENILE DELINQUENCY

Mr. JAVITS. Mr. President, I introduce, for appropriate reference, a bill to establish a 5-year crash program to combat juvenile delinquency. The measure is cosponsored by the Senator from West Virginia [Mr. RANDOLPH].

The evidence mounts that youth crime is continuing to rise at an alarming rate. It is causing deep anxiety to authorities throughout the country. And unless an imaginative effort is made now to combat it, the crime picture will grow more bleak when these young offenders become hardened criminals.

My bill would:

First. Assist States in setting up and operating major juvenile delinquency control programs by making available Federal funds to the States on a matching basis.

Second. Provide grants or fellowships to municipalities, colleges, and other private agencies for the much-needed training of social workers and other persons engaged in juvenile work.

Third. Encourage the research, development, and demonstration of new techniques to deal with behavior problems by providing Federal grants to States, and other public and nonprofit institutions, on a matching basis.

Fourth. Expand the technical assistance program now provided by the Department of Health, Education, and Welfare.

Fifth. Establish a National Advisory Council on Juvenile Delinquency consisting of public officials, professional experts, and community leaders.

The cost of this program for the first year would be \$7 million; and for the remaining 4 years, \$10 million each year.

I introduced a similar bill last year, major provisions of which were part of a bill reported by a Senate Subcommittee on Juvenile Delinquency, of which I was a member. The bill was approved by the Senate but died in the House Rules Committee. I am more hopeful of passage this year because of the recent action liberalizing the Rules Committee.

Youth crime is continuing to rise, according to many indications, including last week's report by New York City Police Commissioner Stephen P. Kennedy disclosing that crimes in that city by youths under 16 years of age increased by 6.7 percent in 1960; and crimes by those 16 to 20 rose by 8.9 percent. Other crime statistics available for 1960 in both rural, suburban, and metropolitan areas, show that the New York City situation reflects a nationwide trend. New Jersey juvenile crime cases jumped 14 percent over 1959. In California, youth crime

increased by 13 percent. I also invite attention to testimony by prison authorities that at least 60 percent of adult criminals in the United States have records of juvenile delinquency.

I wish to emphasize that Government action by itself cannot solve the growing juvenile delinquency problem. We need to strengthen the sense of social responsibility of all our people. Neither church, school, parent, policeman, nor psychiatrist, judge, jailer, and government can provide the whole answer. But all of them together, and many others, can help us toward a solution.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 1041) to strengthen and improve State and local programs to combat and control juvenile delinquency, introduced by Mr. JAVITS (for himself and Mr. RANDOLPH), was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

PROPOSED AMENDMENTS OF INTERSTATE COMMERCE ACT

Mr. ENGLE. Mr. President, on behalf of the Senator from Washington [Mr. MAGNUSON], chairman of the Committee on Interstate and Foreign Commerce, by request of the Interstate Commerce Commission, I introduce, for appropriate reference, two bills proposing to amend the Interstate Commerce Act. I ask unanimous consent to have printed in the RECORD the justifications accompanying the bills.

The PRESIDING OFFICER. The bills will be received and appropriately referred; and, without objection, the justifications will be printed in the RECORD.

The bills, introduced by Mr. ENGLE (for Mr. MAGNUSON), by request, were received, read twice by their titles, and referred to the Committee on Interstate and Foreign Commerce, as follows:

S. 1042. A bill to amend section 212(a) of the Interstate Commerce Act, as amended, and for other purposes.

The justification accompanying Senate bill 1042 is as follows:

JUSTIFICATION FOR S. 1042

The purpose of the attached draft bill is to subject motor carrier operating authorities to suspension, change, or revocation for willful failure to comply with any rule or regulation lawfully prescribed by the Commission and to provide uniformity between parts II and IV of the Interstate Commerce Act with respect to revocation procedure. It is also designed to permit suspension of motor carrier operating rights, upon notice, for failure to comply with the Commission's insurance regulations.

As section 212(a) of the act now reads the Commission cannot suspend or revoke a certificate except for failure to comply with the provisions of part II "or with any * * * regulation of the Commission promulgated thereunder * * *." The Commission has found this language to be unduly restrictive upon its enforcement powers. For example, regulations prescribed under the Transportation of Explosives Act do not come within the category of regulations promulgated under any provision of part II of the Interstate Commerce Act. The Commission is, therefore, powerless to suspend or revoke

the certificate of any carrier for violations of the Explosives Act, or any regulations prescribed thereunder, irrespective of how willful such violations may have been. However, by simply changing the words "of the Commission promulgated thereunder" to "promulgated by the Commission," as proposed in the attached draft bill, the Commission would be able to revoke or suspend certificates for willful or continued noncompliance with any of its lawful rules and regulations. Enactment of this recommended amendment would thus enable the Commission to cope more effectively, in the public interest, with serious violations of any of its applicable rules or regulations and not only those promulgated under part II of the Interstate Commerce Act.

Under the first proviso of section 410(f) of the act, a freight forwarder's permit may be revoked if the holder thereof fails to comply with an order of the Commission commanding compliance with the provisions of part IV, a rule or regulation issued by the Commission thereunder, or the terms, conditions, or limitations of the permit. The failure of a motor carrier to obey such compliance order under the corresponding provisions in section 212(a), however, must be shown to have been willful before its certificate or permit may be revoked. In motor carrier revocation proceedings, then, two hearings are necessary, one to establish that a willful violation has occurred, after which a compliance order is entered, and a second to establish willful disobedience of the compliance order. Once disobedience of a compliance order is established, a further showing of willfulness should not be required. Proof of disobedience should be sufficient. This proposed change would not eliminate a second hearing, but would merely change the quantum of proof required.

The second proviso in section 212(a) provides for the suspension, upon notice, but without hearing, of motor carriers' and brokers' operating authorities for failure to comply with brokerage bond regulations and tariff publishing rules. It does not, however, provide for suspension on short notice for failure to maintain proof of cargo, public liability, and property-damage insurance under section 215. As previously indicated, section 410(f) is a counterpart of section 212(a) and contains a provision similar to the second proviso of section 212(a). The second proviso in section 410(f), however, provides for suspension on short notice of freight forwarder permits for failure to comply with the cargo insurance provisions under section 403(c) and the public-liability and property-damage insurance provisions under section 403(d).

From the standpoint of the traveling and shipping public there is more reason to require motor carriers to keep their cargo and public-liability and property-damage insurance in force than there is to require freight forwarders to keep their insurance alive. It is therefore desirable in the public interest that the Commission have the authority to suspend motor carrier rights, on short notice, when insurance lapses, or is canceled without replacement, until compliance is effected. The prospect of such action by the Commission should act as a deterrent to violations of this nature. An investigation under section 204(c) is not a satisfactory answer to the problem since such a proceeding may be somewhat lengthy and the public may be adversely affected should losses occur while it is pending.

The proposed change in section 204(c), which relates to investigations and the issuance of compliance orders, would bring that section into conformity with the suggested amendment to section 212(a) by similarly removing the restrictive nature of the present wording.

The amendments proposed in this draft bill would enable the Commission to ad-

minister the enforcement provisions of part II of the act more effectively.

S. 1043. A bill to amend section 222(b) of the Interstate Commerce Act with respect to the service of process in enforcement proceedings, and for other purposes.

The justification accompanying Senate bill 1043 is as follows:

JUSTIFICATION FOR S. 1043

The attached draft bill would provide the Interstate Commerce Commission with a more effective means of enforcing the motor carrier provisions of the Interstate Commerce Act.

Under section 222(b) of the act the Commission is authorized to institute proceedings to enjoin unlawful motor carrier or broker operations or practices in the U.S. district court of any district in which the carrier or broker operates. Rule 4(f) of the Federal Rules of Civil Procedure, however, limits the service of process in such proceedings to the territorial limits of the State in which the court sits.

In many instances the carriers against whom it is necessary to seek injunctions do not hold operating authority from the Commission and they have not, of course, designated an agent for the service of process as provided in section 221(c) of the act. The operations of such carriers are frequently widespread and it is often desirable to institute the court action in the State where most of their services are performed. This is usually the most convenient place for the majority of persons involved, including necessary witnesses. The illegal operator, himself, however, may avoid service of process by remaining outside of the State and by not stationing within its borders anyone qualified to receive service on his behalf.

Coping with the problem of unlawful operations is further complicated when a large shipper is involved. An injunction against one or several relatively small carriers without the shipper being named permits the shipper to continue his unlawful activities by using individual truckers or small carriers against whom no previous action has been taken. It is therefore frequently desirable and often critically important, that such shipper, as well as the carriers, be enjoined from participating in further violation of the law or the Commission's rules and regulations thereunder. In some instances, however, the Commission has been unable to obtain service of process upon both the carriers and the shipper because they were not located within the territorial limits of the same State.

The decision of the court in *Interstate Commerce Commission v. Blue Diamond Products Co.*, 192 F. 2d 43, precludes the Commission from proceeding against a shipper without proceeding against the carrier. The Commission does not disagree with the principle of that case. However, it is of the view, and the draft bill would so provide, that it should be able to institute a civil action against a carrier in any State in which the carrier operates and to join in such action any shipper, or any other person participating in the violation, without regard to where the carrier or the shipper or such other person may be served.

The problem presented has been particularly troublesome in the efforts of the Commission to control so-called pseudo private carriage, i.e., for-hire carriers claiming, without basis, to be engaged in private transportation for the purpose of evading the economic regulation to which common and contract carriers are subject. The seriousness of these unlawful operations was recognized by the Congress when, as a part of the Transportation Act of 1958, it amended section 203(c) of the Interstate Commerce Act so as to more clearly define what constitutes bona fide private carriage. However, because

of the inability of the Commission, under present law, to get both the responsible shipper and the carrier before the court, its efforts at effective enforcement is, in many cases, thwarted.

The proposed amendment would make more effective the original intent of the Congress in enacting section 222(b) and would aid the Commission substantially in its efforts to administer and enforce the act.

In order to make the provisions of section 222(b) harmonize with changes recommended by the Commission in section 212(a) of the act (see legislative recommendation No. 3, 74th annual report), the draft bill further provides that section 222(b) shall apply to any lawful rule, regulation, requirement, or order promulgated by the Commission, instead of, as it does at present, to only those promulgated under part II of the act.

RULES AND REGULATIONS WITH RESPECT TO COMMUNITY ANTENNA AND TELEVISION SYSTEMS

Mr. ENGLE. Mr. President, on behalf of the Senator from Washington [Mr. MAGNUSON], chairman of the Committee on Interstate and Foreign Commerce, by request of the Chairman of the Federal Communications Commission, I introduce, for appropriate reference, a bill to amend the Communications Act of 1934 to authorize the Federal Communications Commission to issue rules and regulations with respect to community antenna television systems. I ask unanimous consent that the letter from the Chairman of the Federal Communications, relating to the proposed legislation, be printed in the Record.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the letter will be printed in the Record.

The bill (S. 1044) to amend the Communications Act of 1934 to authorize the Federal Communications Commission to issue rules and regulations with respect to community antenna television systems, introduced by Mr. ENGLE (for Mr. MAGNUSON), by request, was received, read twice by its title, and referred to the Committee on Interstate and Foreign Commerce.

The letter presented by Mr. ENGLE is as follows:

FEDERAL COMMUNICATIONS COMMISSION,
Washington, D.C., February 16, 1961.
THE VICE PRESIDENT,
U.S. Senate,
Washington, D.C.

DEAR MR. VICE PRESIDENT: The Commission has adopted as a part of its legislative program for the 87th Congress, a proposal to amend the Communications Act of 1934 to authorize the Federal Communications Commission to issue rules and regulations with respect to community antenna television systems. (47 U.S.C. 153.)

The Commission's draft bill to accomplish the foregoing objective was submitted to the Bureau of the Budget for its consideration. We have now been advised by the Budget Bureau that, from the standpoint of the administration's program, there would be no objection to the presentation of the draft bill to the Congress for its consideration.

Accordingly, there are enclosed six copies of our draft bill on this subject and six copies of an explanatory statement with reference thereto.

The consideration by the Senate of the proposed amendment to the Communications Act of 1934 would be greatly appreciated. The Commission would be most happy to furnish any additional information that may be desired by the Senate or the committee to which this proposal is referred.

Sincerely yours,

FREDERICK W. FORD,
Chairman.

EXPLANATION OF PROPOSED AMENDMENTS TO
SECTIONS 3 AND 303 OF THE COMMUNICATIONS
ACT OF 1934, AS AMENDED

The advent of community antenna television systems in recent years, together with their increasing use of microwave radio facilities, has not only provided multiple television services to many areas which were previously without any service, but also has created certain problem situations insofar as local television broadcast stations are concerned. A community antenna television system either directly or through a microwave facility intercepts television programs which have been broadcast to the general public and carries them through cables or wires to individual subscribing members of the public who pay a charge for this service. While, originally, such systems directly intercepted programs of not too distant stations, more recently microwave radio facilities have been utilized to obtain programs which have been broadcast by stations far removed from the site of the community antenna television system. Although these systems may be generally considered in the category of repeater television services, they do not engage directly in radio transmission of electric energy by radio, as do translator stations, and hence are not within the licensing jurisdiction of the Commission under section 301 of the Communications Act.

The Commission's early examination of television repeater services, including community antenna television systems, is reflected in its report and order in docket No. 12443, which was adopted on April 13, 1959. In that document the Commission recognized that some adjustment of the unfair competitive situation of local television stations as against community antenna television systems, would be in the public interest. In an attempt to reach this end, the Commission recommended certain measures to the 86th Congress which were embodied in H.R. 6748 and S. 1801. In examining into this matter the Congress considered numerous legislative proposals and held hearings thereon. Two of these proposals, S. 2653 and H.R. 11041, would have established a broad-scale and mandatory licensing scheme for the some 500-700 community antenna television systems which are already in existence, as well as those proposed to be established in the future. While the Commission was in accord with the general objective of these bills, it expressed the view that they were unnecessarily comprehensive in scope; would reach into situations which did not affect local television stations; and would unnecessarily add to the already large licensing functions of the Commission.

In contrast to the unduly widespread scope of these bills, the instant proposal is designed to vest in the Commission authority to act in those situations where local television stations are operating under inequitable disadvantages in competition with community antenna television systems. The Commission would thereby be enabled to address itself to the problem situations in the CATV-local station areas under a general power to make appropriate adjustments through the issuance of appropriate rules, regulations, and orders. The Commission would not, however, be encumbered by the administration of a mandatory licensing

scheme for community antenna television systems, including the large number of such systems which are providing the only television service to sparsely settled areas.

This proposal would define community antenna television systems in a new subsection 3(hh) of the Communications Act in substantially the same manner as the Commission's previous legislative proposal and as was included in S. 2653, H.R. 11041, and in other related bills which were considered by the 86th Congress. This definition would exclude community antenna television systems which served less than 50 subscribers or which consisted primarily of a master antenna system for the residents of a single or a group of related apartment houses. The definition would also expressly exclude community antenna television systems which carry only subscription television or other closed circuit programs. The proposal would also amend section 3(h) of the Communications Act so as to make clear that jurisdiction over community antenna television systems is not to include regulation as a common carrier. This limitation was also included in S. 2653 and H.R. 11041 of the 86th Congress.

Another new subsection—303(s)—would empower the Commission to issue orders, rules, and regulations with respect to community antenna television system operations in situations where an area is served by both the CATV system and a local television broadcast station. It should be noted that despite the numerous CATV systems throughout the country, the problems that have arisen concern the comparatively few areas where a CATV system competes with a local station. Although authorizing the Commission to impose restrictions on CATV operation so as to promote a more equitable balance with a local station, the Commission would be required to give due consideration to the public interest in the multiple television services provided by the CATV, and therefore its jurisdiction is keyed to the making of reasonable adjustments in the competitive situation rather than to the elimination of CATV systems.

For example, in an appropriate situation the Commission might require the CATV system to carry the program of the local station as part of its regular service, and to assure that reception of the local program by CATV subscribers is reasonably comparable in technical quality to the programs provided by the CATV from other sources. Such requirements have been strongly urged by broadcasters whose ability to provide a local television service is said to be adversely affected by the CATV operations. Apart from the fact that CATV systems are able to bring in multiple services which are beyond the capacity of the local station, it appears that direct reception of local stations by CATV subscribers is made more difficult in the usual case by the necessity of an additional switching operation to receive local broadcast signals.

Another instance of the way in which the Commission's jurisdiction might be exercised in appropriate situations lies in the field of duplication by CATV systems of programs being carried by the local station. The Commission would be empowered under the proposed legislation to order such adjustments as would, on an appropriate basis, permit the CATV system to continue to provide multiple television services, and at the same time afford to the local station some protection in its program offerings.

Since this legislative proposal looks to a limited jurisdiction over CATV's under the Communications Act of 1934, as amended, the enforcement and review provisions in section 312(b) and titles 4 and 5 of the act would be available in connection with rules, regulations, and orders issued by the Commission with respect to CATV operations.

AMENDMENT OF RECLAMATION
PROJECT ACT OF 1939

Mr. HRUSKA. Mr. President, I introduce, for appropriate reference, a bill to authorize the Secretary of the Interior to extend development periods under repayment contracts for reclamation projects.

The Commissioner of Reclamation, on behalf of the Secretary of the Interior, is responsible for administering nearly 1,900 repayment contracts with various water users' organizations throughout the West; more are being negotiated and executed all the time as our western water resource development program is carried forward.

In establishing terms of a repayment contract, the Secretary is authorized by reclamation law to establish a so-called development period of not to exceed 10 years, which period precedes the project repayment period. Purpose of the development period is to allow a reasonable length of time for farmers to prepare their lands for irrigation, establish suitable crops, and accomplish reasonably full farm productivity before beginning repayment of project construction costs to the United States. Once a development period is fixed by contract for a period of less than 10 years, the Secretary is not privileged to lengthen it even if conditions subsequently develop which would have justified a longer development period in the first place.

Under the present law, if the repayment period is waived for more than 1 year it must be done by making a supplemental contract to the existing contract. This is not a satisfactory procedure. There is need to authorize the Secretary under certain conditions to extend the development period without the necessity of entering into a new contract.

Conditions of below normal precipitation just prior to irrigation development, higher farm development costs than anticipated, higher equipment costs, and the generally prevailing agricultural cost-price squeeze have created the need for extended development periods in Kansas and Nebraska where short development periods were fixed in a number of cases. As a consequence my colleagues, Senator CURTIS, Senator SCHOEPP, and Senator CARLSON have discussed this amendment. It is possible there are similar cases in other reclamation States. Thus, there is a need now to authorize the Secretary, where conditions justify it and where proper, satisfactory showing is made, to extend existing development periods as necessary within the maximum permissible limit of 10 years permitted by the law.

The action provided for by the bill I introduce today would in no way allow the water users and privileges or rights to which they are not now entitled under the Reclamation Project Act of 1939—act of August 4, 1939, 53 Stat. 1187.

As a matter of fact, approval of this bill into law could result in a net shorter development period overall, for this reason: The inflexibility of the present

statute makes for a tendency to prescribe a longer development period than would be granted if a ready discretionary power existed to extend such period. There is a tendency to allow for occurrence of unknown contingencies, over and beyond the justification made for the period in the first place. When allowance for such contingencies is made, and they do not actually occur, the development period is longer than actually necessary. Such allowance would not be needed if there is a readily available remedy in the event of unanticipated events occurring.

Enactment of this bill will result in better, businesslike administration of the subject matter with which the bill deals.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 1048) to amend section 9(d) (1) of the Reclamation Project Act of 1939 (53 Stat. 1187; 43 U.S.C. 485), introduced by Mr. HRUSKA (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

AMENDMENT OF FEDERAL PROPERTY AND ADMINISTRATIVE SERVICES ACT

Mr. HRUSKA. Mr. President, I introduce a bill to amend the Federal Property and Administrative Services Act of 1949, so as to require the disposal of certain surplus land for agricultural use in family-type farm units.

A similar bill, S. 1630, was introduced in the 86th Congress on April 8, 1959. At that time, nine of my colleagues joined in its sponsorship. All of those cosponsors who are still Members of the Senate again join in sponsoring the bill being introduced today.

The instant bill has been changed somewhat, to meet certain objections voiced by the Bureau of the Budget to S. 1630. The Bureau expressed the view that surplus property covered by the bill might be more suited to uses other than agricultural at the time of its disposition. If the tract were located near a city or new highway, for example, its current or very early use might be commercial, industrial, or even residential, rather than agricultural.

The Bureau felt it would be inadvisable to require purchasers to use the property only for crop raising, if other uses would be more suitable. The point is well taken. Accordingly, the instant bill has been changed, so as not to include any land unless the Administrator of General Services Administration has determined that its most suitable use as of that time is for the production of crops. If such determination is made, the portion of the premises involved which is found to be more suitable for other purposes, rather than for the growing of crops, would be excluded from the provisions of the measure at hand.

Mr. President, at the time when the former bill was introduced, I made a statement explaining in detail the need for this legislation. I ask unanimous

consent to have printed at this point in the RECORD the remarks which I made at the time of the introduction of the original bill and the text of the bill I have introduced today.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill and remarks will be printed in the RECORD.

The bill (S. 1049) to amend the Federal Property and Administrative Services Act of 1949 to require the disposal of certain surplus land for use in the production of crops through the operation of family-type farms, and for other purposes, introduced by Mr. HRUSKA (for himself and other Senators), was received, read twice by its title, referred to the Committee on Government Operations, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 203 of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 484) is amended by adding at the end thereof the following new subsection:

"(p) (1) Any tract of land exceeding two thousand acres in area which has been determined to be surplus property may be disposed of only in conformity with the requirements of this subsection if the major portion of such tract (A) had been devoted to the production of crops before its acquisition, or during its ownership or control, by any executive agency, and (B) the most suitable use for which is for the production of crops at the time the land is declared surplus, and as determined by the Administrator of General Services Administration.

"(2) Before disposal, any such tract shall be divided into separate parcels, no one of which may exceed three hundred and twenty acres in area, in such manner as to provide the maximum practicable number of parcels suitable for use in the production of crops through the operation of family-type farms.

"(3) Whenever any such tract includes land acquired by an executive agency after January 1, 1940, from one or more private owners who, before such acquisition, used that land chiefly for the production of crops in the operation of family-type farms, the boundaries of the separate parcels of land into which such tract is divided pursuant to paragraph (2) shall conform to the greatest practicable extent to the boundaries of the farms which existed at the time of their acquisition by such executive agency. In the disposal of any parcel of land the boundaries of which are so determined, appropriate notice of the proposed disposal thereof shall be given by publication made pursuant to regulations prescribed by the Administrator. The former owner of the major portion of any such parcel shall be entitled to purchase that parcel, at any time within ninety days after publication of such notice, upon the payment of the fair market value thereof for use in the production of crops, as determined by appraisal made in conformity with regulations prescribed by the Administrator. As used in this paragraph, the term 'former owner' means the person or persons from whom the major portion of any parcel of land, or any interest therein, was acquired by an executive agency; or if any such person is deceased, his spouse, if living; or if such spouse is also deceased, one or more of his natural or adopted children. If no former owner purchases any such parcel within the prescribed period of time, that parcel may be disposed of pursuant to paragraph (4).

"(4) Any parcel of land contained in any such tract which is not subject to, or disposed of pursuant to, the provisions of para-

graph (3) may be disposed of by sale, after advertisement for bids, to any one individual, or to a husband and wife, or to a parent and one or more natural or adopted children.

"(5) No individual who has acquired by any means an interest in any parcel of land which has been disposed of pursuant to subsection (4) hereof shall be eligible to acquire through any transfer made under this subsection any interest in any other such parcel contained in any tract of land if that other parcel is situated less than three miles from any such parcel in which that individual previously has acquired an interest.

"(6) Each instrument executed for the transfer of any parcel of land pursuant to this subsection shall contain such provisions as the Administrator shall determine to be effective to insure that for a period of not less than five years after the execution of that instrument that parcel will not be used for purposes other than the production of crops and uses incidental thereto."

(b) The amendment made by this Act shall take effect on the first day of the second month beginning after the date of enactment of this Act.

The remarks presented by Mr. HRUSKA are as follows:

STATEMENT BY SENATOR HRUSKA UPON INTRODUCTION OF BILL, S. 1630, ON APRIL 8, 1959, REGARDING SALE OF SURPLUS LANDS

Mr. President, one of the most contentious and controversial legislative subjects is that of agriculture—with its almost limitless areas and varieties of activities and aspects.

Yet there is one feature of it upon which there is general agreement: the desirability of the family-type and operated farm.

Its place and importance in the building of America was first realized and established in colonial times. The sources of strength which it creates were in the mind of Lincoln when he strongly advocated and later signed into law the far-reaching National Homestead Act of 1862, which authorized freehold farm tracts of 160 acres to citizens agreeing to make their homes on them for not less than 5 years.

My native State of Nebraska has participated in this tradition. The first homestead application under the act of 1862 was filed in Brownsville, Nebr., on January 1, 1863. A national monument marks the 160-acre tract near Beatrice in Gage County, where Daniel Freeman lived and farmed after his filing.

HIGH PLACE OF FAMILY-TYPE FARM IN AMERICA

By tradition over decades and decades, the family-type and operated farms come honestly and firmly to high place and estimate.

They spell the difference between the life of a tenant or laborer on the one hand and an independent operator on the other hand. They determine so much the character of the neighborhood in which he will raise his family.

Not only is the farmowner in charge of his own destiny to the maximum one may be these days, but he has a chance to get ahead, and to rear a family in one of the most wholesome of circumstances.

Where smaller, owner-operated farms exist, there will be good, progressive schools, hospitals, churches, and various community enterprises that make for useful citizenship and enjoyable, healthful living.

Such things are possible because of the number of people which many small farms can support. The farmer's family in the first place. The grocer from whom they buy food; the clothing merchant; the farm implement dealer; the lumber yard; the dealer in autos and trucks, and the gas, oil, and repairs to run them; the neighbor from whom they buy their seed, feed, and fertilizer; the man who supplies wells and irrigation equipment; the doctor, dentist, lawyer, the builder, and so on and so on.

It is such as these that Senators Hans O. Jensen (25th district) and Richard Marvel (31st district) had in mind when they proposed in the Nebraska Unicameral Legislature a resolution, reading in part: "Whereas the family-sized farm remains the backbone of American agriculture."

But such things do not come about, Mr. President, if the prairies are changed into farms so large that a man standing at one end of a furrow cannot see its other end because of sheer distance—a furrow so long and a field so wide that only the largest, most specialized, and most expensive farm machinery can successfully cultivate it.

Too many forces which we cannot control are driving our farms into the automation which comes with large operations.

But when we encounter a situation arising where such trend can be stopped, we surely should take vigorous, courageous action.

ANNOUNCEMENT TO CLOSE HASTINGS NAVAL DEPOT

Mr. President, this surely was done by Nebraskans of Adams and Clay Counties when announcement was made last December by the Navy Department of plans to discontinue and dispose of the 53,000-acre Navy Ammunition Depot, located near Hastings, and in the two counties named.

This installation, which proved to be a defense bulwark in World War II and in the Korean war, was formed at heavy cost, not only in dollars, but in eliminating scores upon scores of family-operated farm units.

With announcement of impending sale of this land as surplus, came the dread fear to the many fine folk of that area, that large land investors, either individual or corporation, would come into the scene to buy the land in a single or large tracts, and thus hasten the many other factors which are working so relentlessly toward further defeat of the family-type farm tradition.

TWO PROBLEMS ARE PRESENT

Situations of this kind, which exist the Nation over as I shall show presently, really bring two problems because while the land on which the depot is located is in large part suitable for farming, parts of it have been improved by the erection of buildings of various kinds. In each instance, the highest possible use should be made of both. The problems, then, are these:

1. To put to full and beneficial use that part of the improvements which lend themselves to industrial, commercial, or even residential purposes. The desirability of establishing payrolls in farming States and areas is well known. Full advantage should be taken of such opportunities.

2. The sale and operation of the agricultural land in question in family type and size farms—the backbone of rural farming America.

FEARS ARE JUSTIFIED UNDER PRESENT LAWS

As to the second of these goals, research of statutes shows that the expressed fears of citizens of Adams and Clay Counties are justified. Family type and operated farms are not favored by the laws under which surplus lands of this kind are sold. They do not provide any preference or priority to former owners.

In an effort to enable these former owners to bid for the property as effectively as possible under present laws, the General Services Administration which is in charge of the sale tried to offer the property in separate tracts as much as practicable, and then offers them for sale at public auction.

The result of the public auction, however, is a dismal one for the normal individual farmer who seeks to bid. The competition of the large, well-capitalized investor—whether personal or corporation—is too strong and weighted against the man who seeks to acquire the land for the purpose of tilling it himself.

CORRECTIVE BILL IS PROPOSED

Mr. President, to overcome these difficulties and to be of as much help as possible to reach the desired goals, I have prepared and am sending to the desk a bill which is designed to insure the disposal of this and similar surplus tracts of land in family-type farm units. The bill is proposed as an amendment to the Federal Property and Administrative Act of 1949, under which surplus property is disposed of.

It provides that any tract of surplus land exceeding 2,000 acres in area which has been devoted to the production of crops and is immediately suitable for agricultural uses, shall be disposed of in parcels of not more than 320 acres to any one individual or family group, as specified in the bill.

These limitations would not apply to any such surplus land upon which there are buildings or improvements if they are still in usable condition for industrial, commercial, or residential purposes. The present law would remain effective in such instances, since every encouragement should be given to induce proper persons or companies to locate upon and activate buildings and areas suitable to their uses.

The bill contains provision for preference to former owners. It is realized that the Surplus Property Act of 1944 did contain such a provision for former owners, and 5 years later the experience was so unfavorable that it was left out when the 1949 act was passed.

It is my plan, Mr. President, to make further inquiry into the reasons for the omission of the former owner preference from the 1949 act, when the hearings are held on this bill. If the reasons for such omission no longer exist and if some practical way can be worked out to reinstate it into law, I would strongly advocate that such preference be accorded. In this way, some equity will be done in favor of owners who were forced to part with the land for defense purposes which have now been served.

THE BILL IS GENERAL LEGISLATION

While the introduction of this bill is brought about because of a situation arising near Hastings, Nebr., it is designed to deal with a problem which has or shortly will exist in several of the 50 States.

The Navy Department recently announced that several such depots in various States, including the Hastings Depot, are no longer needed and will be disestablished as soon as it is feasible to do so. This may take several years to accomplish. In the meantime, the operations will be continued at reduced levels, and as soon as any portions of a given depot no longer serve any purpose, it is planned to declare it excess land, and prepare it, through proper departmental procedures, for disposition by the General Services Administration as surplus land.

The Navy's decision to close such depots is based upon radical and vast changes in weapons and methods of modern warfare and defense needs.

In addition to the several Navy depots to be disposed of, there will undoubtedly be other tracts of land which the Government will relinquish from time to time.

Insofar as such land was taken from family operated farm units and insofar as it can be returned to that use, it should be made possible to get that job done. The proposed bill enables this to be done.

THE WILL AND DETERMINATION OF PEOPLE INVOLVED

What has happened in Nebraska when this situation was presented will no doubt happen in other areas when their time comes. It was heartening to see how these ideas which are so elementary, yet so fundamental, took quick, wide, and enthusiastic hold.

The Blue Hill (Nebr.) Leader, of which Byron Vaughan is editor, put it this way:

"The thousands of acres of farmland comprising the Hastings Naval Ammunition Depot was purchased from farmers. * * * Today there is no longer need for the depot and the land will be returned to the farmers * * * that is, to those who are able to buy. * * *

"Since the depot is apparently situated over the best irrigation water supply in Nebraska, an ideal situation would result if the return to the farmers were handled with care.

"What a farming area it could be if the depot could be divided into small farms, well irrigated and highly tilled. To gain that end, it seems to us that farmers with limited financial means should be permitted to buy this land."

The Clay County News (Mr. King, editor) of January 29, carried an account of one of the mass meetings held in the community to discuss this subject. In part, this news story stated:

"As expressed at the meeting, sentiment is overwhelming for family size farms; not more than a half section at the most—preferably quarter section farms—Clay County, with more than 42,000 acres of its area seized by the Government, was dealt a hard blow by this seizure. Now Federal authorities and the Navy Department in particular have an opportunity to make amends. All that is asked is that the sales of NAD lands be restricted to individual buyers; no buyer be permitted to buy more than 320 acres—directly or indirectly.

"If possible, original owners from whom the land was seized be permitted to bid in former holdings; next veterans be given preference."

POSITIVELY NO AUCTION SALE OF THE LANDS IN A SINGLE UNIT

The Nebraska Unicameral Legislature debated and adopted a resolution which was proposed by Senator Hans O. Jensen (25th district) and Senator Richard Marvel (31st district). The sense of the resolution is pretty well stated in these of its words:

"Whereas the family sized farm remains the backbone of American agriculture * * * this legislature respectfully requests the General Services Administration offer the Hastings Naval Depot for sale in separate tracts of such size as to be economically feasible family sized farm units."

While I have received many, many letters from many fine folks on the subject, I would like to refer to the one written by S. W. Moger, who was for many years County Attorney of Clay County. He is a good lawyer, and a sound citizen; I am proud to have had him for a personal friend for many years. He has been very active in the drive to make suitable progress on the matter of eventual sale of the depot lands.

HOW THE LAND BECOMES SURPLUS

When the Navy will have no further use for the land, it will declare same to be excess land. Thereupon the Secretary of Defense will inquire as to whether any other agency of the Department of Defense has any use for it. If not, it will be certified to the General Services Administration, which will make inquiry if there is any other public use to which it can be put within the provisions of the 1949 act. If no such other use is found, then the land is ready for advertising and sale.

It will take the Navy several years to disestablish the depot, and be ready to move off of the place. The handling of ammunition is expensive. It should be done not only in an economical way, but also in a safe way.

But surely as time goes on, the Navy will be ready to release tracts of land of substantial size for which they do not have any use. An example of that is to be found in the

sections at the eastern portion of the depot. Such areas should not be leased out again, when their present leases expire. They should be offered for sale, so as to get them back into private ownership, and preferably into individual owners' hands.

CONCLUSION

It is my earnest hope, Mr. President, that the bill which I hereby introduce will be promptly and favorably considered, so that it will be operative by the time such sales will be made.

It should be repeated that this is not legislation for a special project. It will be of wide application. It will be wholesome and is much needed. I request that it be appropriately referred, and urge that it be processed as speedily as possible by the committee to which it is sent.

ESTABLISHMENT OF A PERMANENT UNITED NATIONS FORCE

Mr. CASE of New Jersey. Mr. President, on behalf of the Senators from New York [Mr. JAVITS and Mr. KEATING] and myself, I submit, for appropriate reference, a resolution supporting the establishment of a permanent United Nations Force.

The experience of the United Nations Emergency Force in the Middle East, established in 1956, and the United Nations Force in the Congo, established last July, have more than adequately demonstrated the usefulness of emergency forces under United Nations command. We are today deeply concerned by the shocking events which have transpired in the Congo, but I believe it is highly significant that the United Nations Security Council, early yesterday morning, acted to strengthen rather than to diminish the United Nations' role in the Congo.

Operative paragraph 1 of the Security Council's resolution urges "that the United Nations take immediately all appropriate measures to prevent the occurrence of civil war in the Congo, including arrangements for cease-fire, the halting of all military operations, the prevention of clashes, and the use of force, if necessary, in the last resort."

Despite all the difficulties which the United Nations has encountered in the Congo, one of the chief purposes of the United Nations' action there has thus far been achieved, however precariously. The United Nations Force has at least partly filled a dangerous power vacuum in the Congo. Thus far, none of the great powers has itself intervened in force, thereby risking the intervention of other powers, with all the attendant dangers of precipitating a global conflagration. The United Nations Force in the Congo has well served the cause of what Secretary General Hammarskjöld terms "preventive diplomacy" by the United Nations.

Mr. President, I believe we must all admire the skill with which the Secretary General of the United Nations organized these forces and the great service which he has already rendered to the cause of world peace with their assistance. But we must ask ourselves whether the brilliant improvisations of the Secretary General would be possible in somewhat altered circumstances. Some of the initial troops and officers for the Congo

operation last July were drawn from the United Nations Emergency Force in the Middle East. Had the Middle Eastern mission of the United Nations not been in existence, these initial troops would not have been instantly available.

The United Nations Force in the Congo reached its greatest strength of slightly over 20,000 men only after a build-up requiring several months. A larger initial force, more quickly available, would doubtless have been even more effective in the Congo and, in other circumstances, might well be crucial.

Much of the United Nations Force in the Congo was transported to the scene through the assistance of the United States, and much of its supplies and equipment were furnished by the United States. If this country had happened to have other pressing military commitments at the time, this assistance might not have been available.

Considerations such as these suggest the importance of a permanent United Nations Force, with at least some of its units fully trained, accustomed to United Nations' command, and with assured transport to any trouble area of the globe on short notice.

We are all aware of the financial objections which many members of the United Nations have raised to the establishment of a permanent United Nations Force. The report of the Senator from Vermont [Mr. AIKEN] on his service in the U.S. delegation to the last session of the U.N. General Assembly includes this succinct statement of the broad issue applicable here:

Efforts to enforce peace, however, will not be decisive until the member nations both great and small are willing to support such efforts. According to Secretary General Hammarskjöld's estimates, the current costs of world armament amount to \$320 million a day. If each nation would contribute only 1 day's cost to an international police force each year, it is possible that all expenses in this field could be met.

It will take more than money alone to enforce peace in the world. It will take the desire for peace and the willingness to meet equitable demands and to accept the verdict. We are still far from reaching that goal. The road toward it is exasperating and frustrating, but we cannot give up.

This explains, in part I believe, our slow and halting progress toward the goal of a permanent United Nations Force for use in emergencies, enunciated by the Senate of the United States in a similar resolution as early as 1957. I believe it is largely this attitude among many member states which caused the Secretary General of the United Nations to limit his recommendations in this field to such steps as the provision of more top-level military personnel in the U.N. Secretariat and the designation in advance of military units for service with the United Nations by member states.

It is precisely because the attitude of member governments and of the people they represent is the determining factor that I believe it would be useful for the U.S. Senate now to reiterate its support for the creation of a permanent United Nations Force. Such an expression by this body may help to build the international consensus needed to facilitate the achievement of the improvements which

the Secretary General has already advocated and, beyond that, to advocate the actual establishment of the United Nations Force on a permanent basis.

I ask unanimous consent that the full text of my resolution be printed at this point in the RECORD.

The resolution (S. Res. 92) was received and referred to the Committee on Foreign Relations, as follows:

Whereas twice in recent years, an emergency force of the United Nations has demonstrated its usefulness as an instrument for international order and security, and

Whereas an emergency United Nations force can make an important contribution to the maintenance of conditions of peace and stability among nations, and

Whereas such a United Nations force organized on a permanent basis, with advance provision for its transport and supply, could be made quickly available at troubled points throughout the world: Therefore be it

Resolved, That it is the sense of the Senate that—

(a) a United Nations force of a similar character to the United Nations emergency force in the Middle East and the United Nations military force in the Congo should be made a permanent arm of the United Nations;

(b) such a force should be composed of units made available by members of the United Nations: *Provided*, That no such units should be accepted from permanent members of the Security Council;

(c) consideration should be given to arrangements whereby individuals would be allowed to volunteer for service with such a force: *Provided*, That individuals who are nationals of permanent members of the Security Council should not be acceptable;

(d) equipment and expenses of such a force should be provided by the United Nations out of its regular budget.

PROPOSED SUSPENSION OF EXPORT LICENSE FOR SHIPMENTS TO RUSSIA

Mr. WILLIAMS of Delaware. Mr. President, in the Wall Street Journal of Thursday, February 16, 1961, there appeared an article entitled "Ball Bearing Machine Sale to Russia Is Approved."

This order involved a \$1,500,000 shipment of 45 precision grinding machines, one of a number of components in the making of small ball bearings.

The export license for this shipment was first approved last summer by the Department of Commerce, but the Defense Department, upon learning of the proposed transaction, entered vigorous objections on the basis that these tools could have only military use.

Accordingly, the Commerce Department suspended the approval of the shipment pending further investigation.

Last Thursday Secretary Hodges overruled the Defense Department and approved the sale on the basis that the Russians could buy the same machines in Europe anyway.

If these are the criteria which are to be used in determining the eligibility for the resumption of trade with Russia, then let us recognize the fact that all bars are down. For example:

Why withhold shipments of wheat? It could be bought from Australia or Canada.

Why withhold the shipments of corn? It could be bought from Argentina.

Why withhold the shipments of any agriculture products? They can be bought elsewhere.

Why withhold the shipments of steel, tanks, guns, or other type of military equipment? This equipment is manufactured in other countries as well.

I think the Congress and the country should be well aware of the significance of the approval behind the shipment of these machine tools.

It is not just the \$1,500,000 shipment. We are establishing a precedent that the Defense Department recommendations on the shipment of military equipment to Russia and the Communist bloc is no longer being considered.

At a time when we are spending billions annually for the defense of America it is absurd to launch a counteraction of boosting the defense capabilities of our enemies.

In order that the Defense Department may know the position of the U.S. Senate in this connection, I submit and send to the desk a resolution, the purpose of which is to call upon the Secretary of Commerce, Mr. Hodges, to suspend the export license.

I ask unanimous consent that the article appearing in the Wall Street Journal of February 16, 1961, commenting on this shipment, be incorporated in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

BALL BEARING MACHINE SALE TO RUSSIA IS APPROVED

WASHINGTON.—The Commerce Department has decided to go through with its approval of a shipment to the Soviet Union of grinding machines to make ball bearings, despite Defense Department objections.

The Senate Internal Security Committee had also questioned the transaction, originally approved last summer by the Eisenhower administration.

Involved is a \$1,500,000 shipment of some 45 precision grinding machines, one of a number of components in the making of small ball bearings.

Bryant Chucking Grinder Co. will ship the machines. A. E. Stubbs, vice president and general sales manager of the Springfield, Vt., concern, said that while Bryant has shipped no machines to Russia, it was allowed to send some to Poland under an Export-Import Bank loan "a year or two ago."

The Pentagon argued against the current transaction on the ground the equipment could only have military use, and the Commerce Department suspended its approval pending a further look at the issue.

Now Commerce Department officials have decided to lift the suspension. Secretary Hodges takes the position, it was explained, that the same machines are readily available in Europe, so that blocking their export from the United States to Russia would only deprive American firms of the business without denying the machinery to the Russians.

Mr. WILLIAMS of Delaware. Mr. President, I next ask unanimous consent that the resolution, being submitted by the Senator from Maryland [Mr. BURLER] and myself, be presented at the desk and be placed directly on the calendar for consideration at an early date.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Delaware? The Chair hears none, and it is so ordered.

The resolution submitted by Mr. WILLIAMS of Delaware is as follows:

Whereas the Department of Commerce has approved the exportation to the Soviet Union of a \$1,500,000 shipment of machine tools designed for use in making small ball bearings;

Whereas the granting of approval of such shipment has been objected to by officials of the Department of Defense on the ground that such tools may be used for military purposes;

Whereas the growth of the military power of the Soviet Union constitutes a serious and continuing threat to the peace and security of the nations of the free world; and

Whereas no action should be taken by the Government of the United States, or by any department or agency thereof, which might in any way aid or enhance such growth: Therefore be it

Resolved, That it is the sense of the Senate that the exportation to the Soviet Union of machine tools for the making of ball bearings which may be used for military purposes is inadvisable, and that the approval heretofore granted by the Department of Commerce of a shipment of such tools should be withdrawn.

ESTABLISHMENT OF NATIONAL WILDERNESS PRESERVATION SYSTEM—AMENDMENTS

Mr. ALLOTT submitted amendments, intended to be proposed by him, to the bill (S. 174) to establish a National Wilderness Preservation System for the permanent good of the whole people, and for other purposes, which were referred to the Committee on Interior and Insular Affairs, and ordered to be printed.

EXPANSION OF DOMESTIC EXPORTS IN WORLD MARKETS—ADDITIONAL COSPONSOR OF BILL

Mr. JAVITS. Mr. President, I ask unanimous consent that the name of the Senator from Pennsylvania [Mr. SCOTT] may be added as a cosponsor of the bill (S. 852) to encourage and promote the expansion through private enterprise of domestic exports in world markets, which I introduced for myself and Mr. CASE of New Jersey on February 9, 1961.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRINTING AS SENATE DOCUMENT A SUMMARY AND ANALYSIS OF SPEECH BY SOVIET PREMIER KHRUSHCHEV (S. DOC. NO. 14)

Mr. WILEY. Mr. President, historically, nonaggressive nations, all too often, have disregarded or "written off" as insignificant, the declarations of Hitlers, Lenins, Khrushchevs, et al., even though these declarations may have "spelled out" real threats to peace in the world.

What has happened? Time after time, there have been inadequate efforts to cope with the uprising and aggressiveness of totalitarianism.

In the jet-missile-nuclear-space age, however, the world cannot afford the repetition of such mistakes.

On January 6, 1961, Soviet Premier Khrushchev made a major, 20,000-word speech on Communist policy, entitled, "For New Victories of the World Communist Movement."

The speech outlined tactical ways by which the Soviets propose to advance the cause of communism toward its ultimate goals of world conquest.

Among other things, Khrushchev again endorsed the "tactics for conquest" established by the 20th Communist Party Congress in 1956. These included the following:

1. A proletarian revolution and establishment of a dictatorship were central requirements in transforming society from capitalism to communism.

2. Owing to diversity in national situations, transition to communism everywhere did not have to occur through armed uprising and civil war.

3. Peaceful transition was possible, providing the "ruling classes" submitted willingly. Otherwise, force and civil war were essential.

4. The growing strength of the "world socialist system" and improvements in the organizations of workers in capitalist countries enhanced conditions for Communist revolution.

5. Use of parliamentary institutions, and other governmental institutions, in an era of transition was permissible, providing the majority membership in parliament represented all revolutionary forces under the political leadership of the Communist Party. Under these conditions the bourgeois bureaucracy could be overthrown, and a new proletarian state system, parliamentary in form, could be created.

6. The problem of determining the proper forms and methods of seizure of power was the task of the proletariat in each country and its Communist Party.

Realistically, this is a "declaration of unrelenting warfare" against freedom and should serve to realert the free world.

As a leader of the free world, we could not, in my judgment, ignore the significance of such major statements of policy by the No. 1 leader of communism—the major threat to world peace.

Consequently, I requested an interpretive analysis by the Library of Congress. The analysis—now complete—will—I strongly feel—usefully serve Members of Congress, policy planners and makers in the executive branch, and others involved in dealing with the Communist menace to freedom.

I request unanimous consent that it be printed as a Senate document.

Mr. MANSFIELD. Mr. President, I object. I would suggest to the Senator that the matter be referred to the Committee on Rules and Administration, where all such matters are considered. I assure the Senator that, if he will do that, we will give it speedy and, I am sure, the kind of consideration he wants.

Mr. WILEY. Mr. President, I ask that the matter be referred as the majority leader has suggested. I might say that the Foreign Relations Committee looked into the whole matter, and it was at its suggestion that I made the request.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD subsequently said: Mr. President, a short while ago I raised an objection to a unanimous-consent re-

quest by the senior Senator from Wisconsin [Mr. WILEY]. After talking to the Parliamentarian, I find that it is not unusual for requests of that kind, provided they comprise less than 50 pages, to be made and granted. I, therefore, ask unanimous consent, on behalf of the senior Senator from Wisconsin, that his request be reconsidered and that he be allowed once again to suggest what he did in the beginning.

Mr. WILEY. Does the Senator mean my request or his objection?

Mr. MANSFIELD. The request of the Senator from Wisconsin.

The PRESIDING OFFICER. Is there objection?

Mr. WILEY. Mr. President, I ask that 7,500 copies of the address be published as a Senate document.

The PRESIDING OFFICER. Without objection, it is so ordered.

SURVEY OF SELECTED INSTITUTIONS OF HIGHER EDUCATION WITH STUDY PROGRAMS PREPARING STUDENTS FOR WORK ABROAD (S. DOC. NO. 13)

Mr. JAVITS. Mr. President, I should like to call to the attention of the Senate that I have had prepared for me by the Legislative Reference Service a very important document which relates to a general survey through the country of educational programs which are now in effect in many institutions in the country which particularly train young people for service overseas, for work both in Government and in private enterprises.

This is an important basis of fact upon which we can come to some judgment, for example, with respect to the proposed Youth Corps, upon the sufficiency or insufficiency of our ability to carry on an important technical assistance program and it also has great bearing upon the American economic machine to invest abroad.

I believe it is important enough to deserve a much wider distribution than would be given to it by its insertion in the CONGRESSIONAL RECORD. In view of the fact that it originates with such a reputable body as the Legislative Reference Service, and also because the majority leader is on the floor, I ask unanimous consent that there may be printed as a Senate document the study prepared for me by the Legislative Reference Service on educational programs for overseas service.

Mr. MANSFIELD. Mr. President, this is the second such request made this afternoon. The request is made within the rules of the Senate, because, as I understand, after discussing it with the Parliamentarian, any matter of this nature which consists of less than 50 pages can be printed under a unanimous-consent request.

However, as chairman of the Committee on Rules and Administration, I should like to express the hope to all Senators that there will be no further requests of this kind made on the floor of the Senate, but that these matters will be referred to the Committee on Rules and Administration for considera-

tion, so that we can follow proper procedure.

If that is done, I assure all Senators that their requests will be given speedy consideration. I would appreciate it very much if they will accede to my request.

However, I do not feel that I can object to the request of the Senator from New York, or that I should do so, but I believe that I should serve notice as to what I hope will be the procedure that will be followed from now on. If I am on the floor at the time, I will enter an objection to such unanimous-consent request. I do not object to the request.

Mr. JAVITS. Mr. President, I wish to express my appreciation to the majority leader. I know the spirit in which he has spoken. I shall certainly be the first to honor his desire. However, when he sees in detail the document to which I have referred, I believe he will agree with me that it is tremendously useful and will be very helpful to all.

Mr. MANSFIELD. I have no doubt that it will be useful and very much worthwhile. All I am thinking of is the regular procedure. Inasmuch as the Senate has a Committee on Rules and Administration which passes on such matters, I feel that in the best interests of all, it would be a better policy to pursue if such matters were referred to that committee.

However I know this is an excellent document, because the Senator from New York never does anything in this particular line of endeavor which is not always worthy of reading and worthy of attention by all Senators.

Mr. JAVITS. I am grateful to the Senator.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOTICE OF HEARING ON THE NOMINATION OF JOHN WILLIAMS MACY, JR., TO BE CHAIRMAN OF THE CIVIL SERVICE COMMISSION

Mr. JOHNSTON. Mr. President, as chairman of the Post Office and Civil Service Committee, I wish to announce that a public hearing will be held on Tuesday, February 28, 1961, at 10 a.m., on the nomination of John Williams Macy, Jr., of Connecticut, to be Chairman of the Civil Service Commission.

The hearing will be held in room 6202 of the New Senate Office Building.

Persons wishing to testify at the hearing may arrange to do so by calling the committee office, Capitol 4-3121, extension 5451.

ANNOUNCEMENT OF PUBLIC HEARINGS ON THE COLUMBIA RIVER TREATY

Mr. SPARKMAN. Mr. President, I wish to announce that the Committee on Foreign Relations will hold a public hearing on Wednesday, March 8, 1961, at 10 a.m., in room 4221, New Senate Office Building, on the treaty between the United States and Canada concerning the cooperative development of the water resources of the Columbia River Basin. The treaty was signed at Wash-

ington on January 17, 1961. It is designated as Executive E, 87-1.

I ask unanimous consent that the press release which I have issued on this matter be printed in the RECORD at this point.

There being no objection, the release was ordered to be printed in the RECORD, as follows:

PUBLIC HEARINGS ON COLUMBIA RIVER TREATY

Senator JOHN SPARKMAN, Committee on Foreign Relations, announced today that the committee will hold a public hearing on the treaty between the United States and Canada concerning the cooperative development of the water resources of the Columbia River Basin. The treaty was signed at Washington, January 17, 1961, and is designated as Executive C, 87-1.

The hearing will be held on March 8, 1961, at 10 a.m. in room 4221 of the New Senate Office Building.

The treaty, which is for a 60-year period, is an arrangement under which Canada will provide controlled flows of water in the U.S. portion of the Columbia River system through the construction of dams in the Canadian section of Columbia River. These dams would be operated in accordance with an agreed plan which would be designed to insure maximum hydroelectric and flood control benefits in the Pacific Northwest of the United States. In return, the United States would pay Canada for these benefits in the form of energy for power benefits and money for flood control benefits.

The treaty envisages the construction in the Columbia River Basin in Canada within a 9-year period, of reservoirs providing 15.5 million acre-feet of storage. The treaty also clears the way for construction by the United States, at its option, of the Libby Dam on the Kootenay River in northern Montana, which was authorized by the Congress in the Flood Control Act of 1950. The reservoir area for this project extends into the Canadian Province of British Columbia.

The principal Government witnesses will be: Deputy Assistant Secretary of State, Ivan B. White; Secretary of Interior, Stewart Udall; Lt. Gen. Emerson C. Itchner, Army Corps of Engineers. A number of private citizens have asked to be heard.

NOTICE OF HEARINGS ON AMENDMENTS OF FAIR LABOR STANDARDS ACT

Mr. McNAMARA. Mr. President, for the benefit of Senators interested in this year's proposed amendments to the Fair Labor Standards Act, I announce that Senate Labor Subcommittee will begin hearings on this subject next Tuesday, February 28, at 9:30 a.m.

We are reserving as much of that first day as is necessary to accommodate Members of the Senate who wish to present their views to the subcommittee. I hope that all interested will inform me of their desire to testify, so that we can work out a schedule convenient to all.

NOTICE OF HEARING ON NOMINATION OF WILLIAM A. McRAE, JR., TO BE U.S. DISTRICT JUDGE, SOUTHERN DISTRICT OF FLORIDA

Mr. HRUSKA. Mr. President, on behalf of the Senator from Mississippi [Mr. EASTLAND], chairman of the Committee on the Judiciary, I desire to give

notice that a public hearing has been scheduled for Thursday, March 2, 1961, at 10:30 a.m., in room 2228, New Senate Office Building, on the nomination of William A. McRae, Jr., of Florida, to be U.S. district judge for the southern district of Florida, vice William J. Barker, retired.

At the indicated time and place persons interested in the hearing may make such representations as may be pertinent.

The subcommittee consists of the Senator from Mississippi [Mr. EASTLAND], as chairman, the Senator from South Carolina [Mr. JOHNSTON], and myself.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. CASE of New Jersey:

Address by Senator JAVITS, entitled "Needed: A New Bipartisanship," published in the New Republic of January 23, 1961.

MONTANAN RECEIVES AIR FORCE COMMENDATION MEDAL

Mr. MANSFIELD. Mr. President, it was with a great deal of pleasure that I learned of the citation and award of the Air Force Commendation Medal to another Montanan who has distinguished himself in the Armed Forces. Lt. Col. Joseph C. Walters has been cited for his outstanding ability to formulate plans and invoke action based on exceptionally mature judgment and a keen analysis of all factors.

Colonel Walters was instrumental in bringing into combat readiness some 92 flying bases of the Air National Guard, and, I understand, at a considerable saving of Federal funds. I wish to join in this commendation, for he is a credit not only to the Air Force, but also to his home State of Montana. His parents still live in Whitefish, and I know that they are justly proud of their son.

Mr. President, I ask unanimous consent to have printed in the RECORD, at the conclusion of my remarks, the text of the citation accompanying the award, and a newspaper article which appeared in the February 9, 1961, issue of the Whitefish Pilot.

There being no objection, the citation and the article were ordered to be printed in the RECORD, as follows:

CITATION TO ACCOMPANY THE AWARD OF THE AIR FORCE COMMENDATION MEDAL TO JOSEPH C. WALTERS

Lt. Col. Joseph C. Walters distinguished himself by meritorious service while assigned as Deputy Chief and Chief, Air Civil Engineering Division, National Guard Bureau from February 1, 1957, to January 31, 1961. Throughout this period, Colonel Walters demonstrated an outstanding ability to formulate plans and invoke action based on exceptionally mature judgment and a keen analysis of all factors. This capability, during a period when the Air National Guard maintenance and rehabilitation program was

expanding rapidly, was instrumental in bringing into combat readiness the 92 flying bases of the Air National Guard and at the same time creating a savings of millions of dollars of Federal funds. Through his outstanding ability, tact and diplomacy, he guided the transfer of Air Force and Navy bases to the Air National Guard, effecting to the fullest extent, joint utilization of resources in the Military Establishment of the United States. The distinctive accomplishments of Colonel Walters reflect credit upon himself and the U.S. Air Force.

[From the Whitefish (Mont.) Pilot, Feb. 9, 1961]

COLONEL WALTERS GETS AWARD

Lt. Col. Joseph C. Walters, Air Force officer who is ending a tour of duty in the National Guard Bureau, has been awarded the Air Force Commendation Ribbon for exceptionally meritorious service.

He is a former Whitefish resident and graduate of Montana State College.

For the past 4 years, Walters has served as deputy chief of the Air Civil Engineering Division. Services credited to him include:

Being instrumental in bringing into combat readiness the 92 flying bases of the Air National Guard.

Planning and coordinating an expanded construction program.

Modifying existing structures at Geiger Field, Spokane, Wash., resulting in a \$2 million saving.

Being instrumental in designing and perfecting a preengineered building which was subsequently adopted for use throughout the Air National Guard and which resulted in major savings in construction of these facilities.

Walters is being transferred to San Antonio air material area, Kelly Air Force Base, Tex., where as chief of civil engineering, he will be in charge of more than 1,000 employees.

THE RANGE CONSERVATION STAMP AND CHARLIE RUSSELL

Mr. MANSFIELD. Mr. President, on February 2 of this year a new U.S. postage stamp, commemorating range conservation, was issued at Salt Lake City by the U.S. Post Office. This 4-cent stamp is part of a series telling of our natural resources. I am especially pleased to see the recognition given the vitally important subject of range conservation. I am even more delighted because our Post Office Department utilized for half of this stamp the wonderful, historic painting by Montana's first citizen, Charlie Russell. The picture selected for the stamp was "The Trail Boss," and it is one of Charlie's finest works.

It was on March 19, 1859, that Montana placed in Statuary Hall its first statue to a leading citizen. Montana selected Charles M. Russell; and, in selecting him, we recognized that he was not only a great citizen of Montana, but also a citizen of the West. He was a man with tremendous insight and humility; and, above all, he was an artist who recorded on canvas the vanishing of the Old West and the era of the cowboy and the Indian.

Charlie Russell was born in St. Louis, Mo., in 1864; and he came to Helena in 1880. He lived out his life in Montana; but he gave his entire life to recording, with fidelity, the West as it was in that historic era.

The importance of rangeland to our great Nation is large. Almost 700 million acres of our country, nearly 40 percent, are in pasture or range. The West still has almost 200 million acres of rangeland that are not in farms. We have in the West two Federal agencies, the U.S. Forest Service, in the Department of Agriculture, and the Bureau of Land Management, in the Department of the Interior, which manage a great part of the open range that remains. Special credit should go to these two agencies and also to the Bureau of Indian Affairs, in the Department of the Interior, the Soil Conservation Service, in the Department of Agriculture, and the American Society of Range Management, for their efforts in securing recognition of range conservation, by means of this stamp.

Mr. Rudolph Wendelin, in the Department of Agriculture, deserve special credit for his role as the designer of the format for this well-composed stamp. On the right-hand side is an open range scene, with cattle pasturing, and the mountains behind. On the left-hand side is a cut of "The Trail Boss," Charlie Russell's wonderful painting.

If it were not for the fact that I consider Charlie Russell to be a citizen of the West, I might question why a stamp utilizing one of his famous paintings was not issued in Montana. I think it is altogether fitting, however, that Salt Lake City, Utah, have the honor, for it is the home of one of the foremost conservationists in the Senate, the junior Senator from Utah, FRANK E. MOSS. In the short period that TED MOSS has been in the Senate, he has served with distinction on the Committee on Interior and Insular Affairs, and he has been closely associated with many of the problems of wise use of our range and other natural resources.

Mr. President, I ask unanimous consent that the statement made by Postmaster General Day on the occasion of the issuance of the range conservation stamp be included in the RECORD at this point in my remarks.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

This new U.S. postage stamp commemorating range conservation is the first in history devoted to this great natural resource. We hope it will help call attention to the importance of the protection and improvement of our Nation's grasslands and to the blessings they provide mankind.

Gun battles once were waged over the right to graze choice areas of rangeland. Fortunately, this phase of range life survives only in our colorful heritage of western legend and literature. Today the tremendous pressures on our range resources are countered instead by scientific grassland management that serves the needs of water and soil conservation, livestock production, and wildlife.

Management of our grasslands has come a long way since the days of the open range and the "Trail Boss," which Charles Russell saw and painted in the West. The Post Office Department is proud to salute the practice of range conservation for it maintains a resource that has played a dramatic role in America's history.

MAYOR RAYMOND TELLES, OF EL PASO, IS OUTSTANDING CHOICE AS AMBASSADOR TO COSTA RICA

Mr. YARBOROUGH. Mr. President, no matter where or how long he might have searched, President Kennedy could not have made a better selection than his choice of Mayor Raymond Telles, of El Paso, as Ambassador to Costa Rica.

Mayor Telles and I have been friends for many years; and I know him to be a man of exceptional ability, powerful personality, and deep dedication to the ideal of human liberty.

My prediction is that not only will he make an outstanding record of service in Costa Rica, but this will prove only the beginning step toward even bigger assignments in the future.

I ask unanimous consent to have printed in the RECORD the Man in the News feature from the New York Times of Thursday, February 16, 1961, entitled "A Friend of Latins: Raymond Lawrence Telles."

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the New York Times, Feb. 16, 1961]
A FRIEND OF LATINS: RAYMOND LAWRENCE TELLES

President Kennedy's choice as Ambassador to Costa Rica is a Spanish-speaking Texan of Mexican ancestry who has had wide experience in dealing with Latin Americans. Mayor Raymond Lawrence Telles, of El Paso, said yesterday that as Ambassador his main job would be to let the Costa Ricans know: "We are their friends; we are all partners in the promotion of security for the entire hemisphere. We want to help them, but as partners. After all, we need their help as much as they need ours, if we're going to be successful in preventing the advance of communism."

HAS MET PRESIDENT

Mayor Telles is a fourth-generation U.S. resident whose father, also named Raymond, was in the construction and transportation business in El Paso.

Unlike several other Kennedy appointees, he has met the President. On the telephone yesterday, he said he met Mr. Kennedy the first time in 1956 when the then Senator was campaigning in Texas for Adlai E. Stevenson, the Democratic presidential candidate.

"I met the President again during his own campaign last year," he recalled. "I've also known Vice President JOHNSON for many years."

As mayor of a border city, Mr. Telles says he is "very close to the people of Mexico," and not simply by geography. Of the 277,000 El Paso residents, he says, at least 40 percent are Mexican or of Mexican ancestry. "I have daily opportunities to work with Mexicans," he notes.

During World War II, he was a lieutenant colonel in the Air Force with the job of administering aviation lend-lease supplies to Mexico and Central and South America. Besides the Bronze Star and a commendation ribbon from his country, he holds decorations from Mexico, Nicaragua, Colombia, Brazil, and Peru.

STUDIED BUSINESS

Mr. Telles attended International Business College and Texas Western College in El Paso. Afterward he got a job as an administrator and cost accountant for the Bureau of Prisons in the Justice Department.

He entered the Army in 1941 as a private in the 36th Division. He went to the Air

Force Officer Candidate School in Miami and emerged a second lieutenant.

Just after the war, Mr. Telles served as an aide to General Eisenhower and President Truman on visits to Mexico. In 1954 he was sent to Mexico as a liaison officer and adviser to the chief of the Mexican Air Force.

"In 1948, I decided to get into politics," he said. "I ran for county clerk and defeated the incumbent, who had been in office 10 years. I think my success was due to hard work and personally contacting as many people as I could."

He was reelected twice, without opposition, the second time while serving in Korea in 1952. He ran for mayor in 1957 and won by several thousand votes. He ran unopposed for a second term.

Mr. Telles is 6 feet tall and weighs 165 pounds. He is clean shaven and has brown hair. He likes tennis, football, handball, and baseball, "but I'm not a very good participant."

His wife, the former Delfina Navarro, is also a native of El Paso. They have two daughters, Cynthia Ann, 8, and Patricia Eugenia, 5.

"All of my family speak both English and Spanish," Mr. Telles said. "I have made it a point that they stay with both languages."

A TIME FOR RIGHT DECISION

Mr. BUSH. Mr. President, last Friday evening the distinguished senior Senator from Hawaii [Mr. FONG] delivered an important and timely address in New York City. Speaking before an audience of more than 200 members of the Chinese community in New York, he rightly cautioned against pessimism, secrecy, predilection for change, fatalism, and defeatism in America's domestic and foreign policies. He also recalled some lessons of history to guide our U.S. diplomats as they cope with the Congo, Red China, and Laos.

Mr. President, I congratulate the Senator from Hawaii on his clear analysis and lucid observations, and I join him in the hope that the decisions the new administration makes will be the right decisions for America.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD the text of the address delivered by the Senator from Hawaii.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

A TIME FOR RIGHT DECISION

(Address by Senator FONG to the Chinese Community, at the Hotel New Yorker, New York City, N.Y., February 17, 1961)

Mr. Toastmaster, Mayor Wagner, distinguished guests, members of the Chinese community, ladies and gentlemen, "Kung Hee Fat Choy," "Hauoli Makahiki Hou"—Happy New Year. It is a distinct pleasure for my wife, Ellyn, and me to be here with you to mark the beginning of this Chinese Lunar Year of the Ox. Some prefer to call it the Year of the Bull, others, the Year of the Cow.

In Hawaii, the Chinese New Year celebration is now a State of Hawaii celebration. Everyone joins in its festivities. It is now known as the Narcissus Festival. Its duration is about 10 days with many preliminaries leading up to the general celebration. The Narcissus Festival is a tremendous tourist attraction in Hawaii. Tourism is now our second principal industry and will soon be our first industry.

In each January, the Chinese Chamber of Commerce and its junior chamber conduct

a preliminary beauty contest to select a queen to reign over the Narcissus Festival. This year's queen is Miss Stephanie Loo, a 19-year-old beauty who is a sophomore at the University of Hawaii. Besides having the honor of participating in many of the activities of the community, Miss Loo won a trip to the mainland United States as well as an all-expense-paid trip to Asia and southeast Asia, and will be visiting places as far as Singapore and Bangkok. Like the trips of previous queens, her trip, on which she will be accompanied by 30 to 40 people from Hawaii, will do much to create good will for America in the many nations she will visit.

To begin the New Year festivities in Hawaii, last Friday three dancing lions followed by a Chinese band led the parade in Honolulu's China Town. The next evening, the streets of China Town were closed to traffic where a Mardi Gras-type festival was held.

Among the other events which were separately given and which attracted large crowds were: a long-rehearsed Chinese drama in English, a well-planned tour of homes decorated in the Chinese motif, a symphony concert with guest singers, an artists-in-action program, a tea and fashion show of depicting modern as well as ancient Chinese gowns, a floral show of great beauty, a fireworks display, and a grand nine-course banquet as a climax. Competitions in calligraphy, photography, and poetry were also held.

The Narcissus Festival has been celebrated for more than a decade in Hawaii and each year it has grown bigger and bigger and more successful. It has provided a training ground for many of our youngsters to participate in community activities. For example, many who took part in the dramas have become active in our Community Theater, and many successful musicians and artists had their start in the festival.

Following the lead of the Narcissus Festival, the Japanese Junior Chamber of Commerce now sponsors annually a Cherry Blossom Festival in the spring. This festival has also met with great success and, like the Narcissus Festival, has added much to the cultural enrichment of Hawaii. In the fall, under the auspices of the Hawaii Visitors Bureau, the people of Hawaii celebrate Aloha Week when the cultures, customs, and traditions of Hawaii and Polynesia, including Samoa and Tahiti, are portrayed. Because of our success in Hawaii, I would like to commend to you the idea of a Narcissus Festival here in New York City. I am quite sure it will be well received and besides adding much to the enrichment of the culture of New York, it will give to young and old of the Chinese community an opportunity for expression and an initiation into public service.

New Year's time is always resolutions time. With the passing of the old year, we always note with regret that the year is gone and we have not kept the resolutions we made, reminding me of the story of the bull and the honey bee.

From that homely little story we humans can take our cue. When the time for decision arrives, we should make our decisions promptly and intelligently, without vacillation or procrastination. Especially at the start of a new year we are cognizant of the need to take inventory, to strike a balance sheet, to make plans, resolutions and decisions for the coming year.

As with each of us, so it is with our Nation, now that one administration has departed its office and a new administration has entered upon its responsibilities. For the new team which is now deep in the process of formulating domestic and foreign policies, it is indeed a time of decision.

But, more than that, it is a time for right decision.

If we the people are to exert any influence toward right decisions, now is the time for us to make our views known—before policies are formulated and before decisions, which may prove irrevocable, are made.

As enlightened and interested citizens, we have a duty to warn our public officials against what we consider unwise action.

The fledgling administration has been in power less than 1 month. But already there are to me some very disquieting signs on the horizon—signs that portend stormy weather ahead for America.

The first foreboding sign appeared with the state of the Union message followed by the Economic Report of President Kennedy, in which there is a distinct tendency to overemphasize the negative.

This may have been good politics for a campaigning candidate for President, but it is bad statesmanship for our country.

Statements made by any President of the United States always command attention around the world. From President Kennedy's overly pessimistic picture of America, other peoples may readily believe ours is a tottering, faltering economy on its last legs.

To leave such an impression when actually we are very strong, both militarily and economically, is extremely dangerous. It can only dilute our influence in world councils. It can only lend credence to Communist propaganda that capitalism is on the decline and their Communist system is the wave of the future. No longer need the Communist propaganda machines fabricate fables about America, they need only quote the President of the United States.

Should that growing list of uncommitted or neutral nations, who are now sitting on the fence in the cold war struggle, become convinced America is slipping, there is real danger they may choose to cast their lot with our opponents—and that signifies serious trouble.

In addition to a persistent pessimism, there are other disturbing omens on the New Frontier, particularly regarding foreign affairs.

One is an alarming tendency toward secrecy, which began with the release of two RB-47 fliers who were shot down in cold blood and imprisoned last summer by the Soviets. The American people have not yet been told the concessions or agreements made by the Kennedy administration to Mr. Khrushchev to obtain their release. The President himself imposed silence on the fliers after their return and still refuses to permit the press to question them so that the American people can learn more about the Russians' act of piracy over the high seas.

Are we entering upon another era of secret agreements such as we had in the 1940's which proved so disadvantageous to America? Have we forgotten so soon the treaties approved by former Presidents at Teheran, Yalta, and Potsdam—agreements whose terms, such as the partition of Germany, plague us to this day?

Another facet of the ominous trend to secrecy is the tendency to suppress criticism of the Communists. It began with censorship of public speeches of our top military advisers. References to communism and Russia in a speech draft of Adm. Arleigh A. Burke, Chief of Naval Operations, were stricken by censors at the White House who were reported "appalled" at his statements that the Russians cannot be trusted.

Following on the heels of the silence imposed upon our RB-47 fliers and censorship of Admiral Burke's speech, one of our television networks canceled without explanation a scheduled drama dealing with Communist subversion in the United States. Immediately in the Congress cries of protest were raised and, I am glad to report, the

dramatization of Soviet spy cases was subsequently televised.

Nevertheless, these several incidents lead one to wonder whether another period of suppressing facts on communism and glossing over Communist activities and intentions is dawning for the American people.

It was this same euphemistic attitude in the White House in the 1930's and 1940's that blinded millions of Americans to the dangers of Communist infiltration and subversion at home and that misled many Americans on Communist aggression abroad.

Along with such incredible unreality, there appears to be a disconcerting eagerness on the part of some administration lieutenants to "change" foreign policy for the sake of change. Not too long ago, when a hue and cry for "change" arose because of a stalemate in negotiations between the United States and Russia, an eminent American Secretary of State reminded us:

"There are occasions when others, and not we, should provide the change. Nothing could be more dangerous than for the United States to operate on the theory that, if hostile and evil forces do not quickly or readily change, then it is we who must change to meet them."

That was good advice then—and it is good advice now.

Impatient Americans must understand that Communist intransigence is deliberate strategy. They may smile one day and frown the next, but they do not budge from their position. They are geared to the long, long pull, not at all expecting to attain their goals overnight but comfortable in their conviction that, sooner or later, we will come to terms with them.

United States-Soviet disarmament conferences provide a classic example. Countless meetings have been held over the years, each leading only to deadlock. When, at last, the weary diplomats give up in despair, the pressure turns on our U.S. diplomats to contrive a "fresh, imaginative" plan more likely to be accepted.

Meantime, the Soviets bide their time, return to the conference table with their same old disarmament schemes, reject our new plans, and in due course return to Moscow while our diplomats further revamp our disarmament proposals.

This is the Communist technique of planned erosion—of diplomatic attrition—of talking out, wearing out, and waiting out. As anxious as our present administration is to achieve a disarmament pact, will it be strong enough to resist the pressures for compromise until such day as the Communists agree to enforceable and safeguarded disarmament?

Doubt creeps into our minds, for, more and more, a distressing fatalism, an alarming defeatism permeates the utterances of our top foreign policy advisers. Increasingly, is voiced the opinion that Red China will soon win enough votes in the United Nations to secure a seat on the Security Council and that America had better face up to that inevitable defeat.

Professor Schlesinger of the White House staff has spoken of admitting the Peiping regime to the United Nations as "a reasonable price to pay" in order to get Red China and the Soviet Union into a "system of reliable arms control."

Both Mr. Adlai Stevenson, new American Ambassador to the United Nations, and Mr. Chester Bowles, our new Under Secretary of State, have indicated their belief that Red China will eventually be admitted to the United Nations.

How can we expect to win this issue if we announce in advance that our defeat is inevitable?

Such official views already have set in motion a chain reaction in countries that heretofore have joined America in opposing

U.N. membership for Red China. A few days ago, the Foreign Secretary of Britain told the House of Lords, "The facts of international life require that Communist China should be seated in the U.N." Canada, too, which up to now opposed seating Red China, is reported to be "shaping a new China policy of its own less rigid than the U.S. position it has hitherto supported."

Fatalistic sentiments also emanate from high administration sources regarding U.S. recognition of Red China. The American people are told we can no longer ignore the existence of this land of 700 million souls—that we must "deal" with the Peiping Government whose growing military power and aggressiveness pose a threat to world peace.

United Nations admission and U.S. recognition of Red China are inevitable only if the administration abandons the fight.

No team ever went into a game conceding defeat before the opening whistle.

The good and sufficient reasons we have advanced in the past to deny recognition of Red China and to bar her membership in the United Nations are as valid as ever. Red China has never purged herself of her inequities. Indeed, with every passing year, the Peiping Government proves itself less worthy to participate in the family of nations.

Once America abandons the fight for right and the struggle against wrong, and that is the bedrock basis for U.S. opposition to Red China, we will have renounced any claim we now have to moral leadership in the free world. Our role as keeper of the world's conscience will become untenable, for we will have lost one of our most powerful instruments for justice and peace, namely, moral suasion. Our friends and supporters, who look to us for protection against marauders, would no longer trust us. And the Communists would despise us all the more for our weakness.

But pessimism, secrecy, predilection for change, fatalism, defeatism are not the only disturbing attitudes evidenced in official quarters during the brief tenure of the new administration. There are indications the lessons of history are being ignored.

In the Congo situation, for example, our Ambassador to the United Nations has been pressing for a coalition government which would include representatives of the major factions. One powerful faction is led by men whose orientation toward communism is a matter of incontrovertible record.

Similarly for war-torn Laos there are suggestions in America for a coalition government, which would necessarily include pro-Communist representatives, or for an International Armistice Commission, which would include a Communist Commissioner.

Former Secretary of State Dean Acheson in 1951 publicly admitted that, once in a government, the Communist objective is to take complete control. He told the Senate Foreign Relations Committee that such "captures" had, in fact, occurred in Bulgaria, Rumania, Hungary, Czechoslovakia, and Poland.

To forestall repetition of the same error in Laos and in the Congo, we the people should remind the Kennedy administration of the lessons of history.

There can be no doubt that, in Laos and in the Congo, the setting up of coalition governments to include Communists would be tantamount to surrender by installments.

In all fairness, the Congo problem is one not alone for America to resolve, but for every member of the United Nations which desires to remain outside the Communist orbit.

If the Congo is a crucial test for the new administration, it is likewise a crucial test for the United Nations.

When trouble began in the Congo, the Big Powers—Britain, France, the United States, and Soviet Russia—did not supply troops to

restore law and order. Very correctly, the United Nations force consisted of troops volunteered from small nations nearer the Congo in distance and in culture.

On them fell the very difficult, delicate, and trying task of maintaining peace without taking political sides with the clashing factions in the Congo. Today the job is far from being done. The conflict continues fluid and extremely flammable. Yet, bit by bit, the small nations are pulling their forces out of the Congo, decimating the strength of the United Nations and abrogating their own moral obligation to help keep the peace.

There was a time when the Big Powers alone were regarded as guardians of the peace, but now it is plain the question of war or peace rests equally on the small nations.

On them depends success or failure of the United Nations in the Congo, and on the Congo outcome hinges the future of the United Nations as an effective instrument for peace.

It is indeed D-day—decision day—for the United Nations, as Mr. Khrushchev forces a showdown with his resolution demanding the withdrawal of United Nations troops and operations in the Congo and demanding the dismissal of United Nations Secretary General Hammarskjöld.

What Mr. Khrushchev proposes is the freezing out of the United Nations in the Congo, leaving that war-torn land ripe for plucking by a pro-Communist regime.

If the United Nations is frozen out of the Congo, how then can it ever again serve effectively in other trouble spots of the world? Withdrawal of the United Nations troops is tantamount to a sad admission that the United Nations no longer is an effective force for peace and order and that the nations of the world have agreed to return to the jungle law of world politics—to survival of the fittest, the biggest, and the strongest.

The time has come when all nations, big or small, must stand up and be counted, for this issue spells life or death for the instrumentality designed to protect them all.

Clearly this is as much a testing time for all nations as it is for our new administration—a time to decide whether the moral backbone of non-Communist nations is strong enough to make the right decisions.

The late Secretary of State John Foster Dulles once said: "Moral power can be a powerful force in the world. That is not a pious hope. It is the judgment of every realist throughout history. It was Napoleon who said that 'in war, moral considerations make up three-fourths of the game.' It was Admiral Mahan who said that physical force was useful only 'to give moral ideas time to take root.' The need is for more effective political use of moral power."

Every nation, whether large or small, has a bounden duty to take a strong stand for the morally right and to oppose the morally wrong.

Whether our own administration will make more effective use of moral power remains to be seen. In the meantime, those of us distressed by some of the moral pathways the administration appears ready to travel should make our objections known. Even in this space age the weight of public opinion is a mighty force and the pen a mighty instrument.

Although each of us is a minority of 1 of 180 million in America, our opinion counts—just as our lone vote counts. Certainly, the election of late November dramatized the importance of every vote cast.

So close was the presidential election in this country that a shift of 11,874 votes, distributed as follows, would have put Mr. Nixon in the White House: 58 in Hawaii,

4,430 in Illinois, 4,991 in Missouri, 1,148 in New Mexico, and 1,247 in Nevada.

Here is fresh proof that every vote, every person, every group—no matter how small—counts in America. Neither as individuals nor as a member of minority groups need we feel too insignificant to exert influence for every one of us is a member of a minority group—be it economic, social, political, religious, or racial. You and I who are of Chinese ancestry happen to belong to a very small racial minority in the United States, so small that by no stretch of the imagination do we wield any balance of power in America. Yet, as Americans, each of us has an equal vote, an equal opportunity to pursue our endeavors, equal rights under the law, and an equal voice in our Government.

Lincoln said, "Our Government rests in public opinion. Whoever can change public opinion, can change the Government."

You and I today, as individuals, can as in Lincoln's day bring the weight of our opinion to bear on our Government. It is still Government of the people, by the people, and for the people, a wonderful fact which gives constant hope to our hearts, everlasting faith to our minds and abiding strength to our spirits, that our Nation will make the right decisions.

STATEMENT BY SENATOR THOMAS J. DODD CONCERNING MRS. BARBARA COLLINS' ASYLUM IN CUBA

Mr. DODD. Mr. President, I ask unanimous consent to have printed at this point in the body of the RECORD a statement I have prepared, together with news items from the Miami Herald of February 17 and February 19, 1961.

There being no objection, the statement and news items were ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR DODD

Many Senators will recall the discussion in the Senate last Thursday about Robert Taber, the executive secretary of the Fair Play for Cuba Committee, who is unavailable for the service of a subpoena to appear before the Senate Internal Security Subcommittee because he has left his home in New York and is staying indefinitely in Cuba.

The Senator from New York, Mr. KEATING, made a fine statement about this matter on Thursday, and I added a few remarks of my own.

I want to call the attention of the Senate to another witness desired by the Internal Security Subcommittee, also connected with the Fair Play for Cuba Committee, and who also has fled to Cuba, apparently to escape service.

This time the prospective witness is a woman, Mrs. Barbara Collins of Miami, Fla., whose address in Miami was 1015 Northwest 112th Street. The Internal Security Subcommittee has been trying since the second week in January to get Mrs. Collins as a witness.

A subpoena calling for Mrs. Collins' appearance before the committee on January 14, 1961, was taken to Mrs. Collins' home on the preceding day, January 13, 1961, by a deputy U.S. marshal. This marshal talked with Mrs. Collins through the closed door at her residence. He identified himself, but she said she would not talk to him or accept the subpoena, stating she had talked to her attorney and that it would not be a good service unless the marshal touched her. The marshal put the subpoena through the door, told Mrs. Collins the district attorney would have to rule on whether the service was good, and went back to his office. Mrs. Collins did not appear in response to the subpoena.

On the evening of January 18, the committee received a telegram which had been filed in New York City earlier that day. The text of this telegram was as follows:

"SENATE SUBCOMMITTEE ON INTERNAL SECURITY,

"Senate Office Building, Washington, D.C.:
"I have been advised by my client, Barbara Collins, that a subpoena has been issued for her appearance in Florida. She is ready to appear upon proper service.

"STANLEY FAULKNER."

But the following week, when a U.S. marshal again went to the address Mrs. Collins had occupied, he was told she had left Miami. So far as the committee has been able to ascertain, she has not returned.

On February 17, 1961, the Miami Herald carried a news story stating that Prensa Libre, Cuban Government newspaper, had claimed on the previous day (Thursday, February 16) that Mrs. Barbara Collins was "the first American granted political asylum by the Castro regime."

The Miami Herald article, which carried a United Press International, Havana dateline, said:

"Prensa Libre quoted Mrs. Collins as saying she was persecuted by the FBI and other U.S. agencies because she belonged to the Fair Play for Cuba Committee."

The Miami news article declared:

"Mrs. Barbara Collins is most active and is one of the leading figures, if not the leading figure, in the Fair Play for Cuba Committee in Miami."

It is interesting that as late as January 10, 1961, in an interview with investigators, Mrs. Collins would not answer questions about the activities of the Fair Play for Cuba Committee, and insisted that the Fair Play for Cuba Committee did not have either a local headquarters or a meeting place in Miami.

The facts are that Mrs. Collins joined the Fair Play for Cuba Committee early in 1960, after reading an ad which the committee had placed in the New York Times, which was paid for in large part by Castro money.

Later, according to a report which has come to the Internal Security Subcommittee, Mrs. Collins developed her own contact with the Castro government, using another resident of Miami as go-between.

Information in possession of the Internal Security Subcommittee indicates Mrs. Barbara Collins had numerous associations with pro-Castro Cubans, and even with members of Castro's underground in this country. She was also closely associated with various members and functionaries of the Fair Play for Cuba Committee. During last December and January, she shared her home on several different occasions with various members or functionaries of the Fair Play for Cuba Committee, and during the first week of January entertained in her home an identified Communist who had gone to Miami on the business of the Fair Play for Cuba Committee, according to information received by the Senate Internal Security Subcommittee.

Whether a witness who flees the country to escape testifying before a Senate committee can be said to be seeking political asylum is a matter on which Senators will have their own opinions.

It would be interesting to know whether Mrs. Collins had already left Miami at the time Stanley Faulkner sent his telegram to the Internal Security Subcommittee, calling her his client and declaring that she is ready to appear upon proper service.

According to the UPI story in the Miami Herald, Mrs. Collins said that in leaving the United States she went first to Fort Lauderdale, Fla., and from there to New York, where she took a boat going to Veracruz, Mexico, with a stop in Havana.

If Mrs. Collins had already left Florida, and was, perhaps, in New York when Mr.

Faulkner's telegram was sent to the committee, then it would seem the good faith of the telegram may be open to question, since the telegram on its face might be taken as an indication that Mrs. Collins was available to be subpoenaed at her Florida home.

Certainly the telegram does not purport to be an offer to produce Mrs. Collins; and in fact, implicit in this telegram is a denial that Barbara Collins has been properly served to appear before the committee.

Whether service actually was had upon Mrs. Collins on January 13 may be open to argument. But I think it is beyond question that she was in fact summoned to appear before the Internal Security Subcommittee and that she was aware of this summons. If I am correct about this, then her failure to appear constituted a contempt of the Senate, if the committee and the Senate should wish to press that charge.

There is no magic about subpoenas. A subpoena, in the case of a witness summoned to appear before a congressional committee, is simply a notice of the summons. It is the summons itself, and not formal notice of the summons, which is important. If the summoned witness receives the information that the committee has called him or her to appear, and knows or has reason to believe that this information comes from an official source, then the witness must appear upon pain of contempt.

I do not know what further action the committee may take in this case. Certainly the committee's jurisdiction does not extend to Cuba and while she remains there Mrs. Collins, like Robert Taber, is beyond the reach of a committee subpoena.

While it might be possible to cite Mrs. Collins for contempt even though she is now in Cuba, I would see little point to such action without being sure that she would return to the United States, where she might be prosecuted for the contempt.

Such matters are, of course, for the committee in the first instance, and the Senate finally, to decide. But I wanted to call the attention of the Senate to this situation, now that a second Fair Play for Cuba Committee witness has fled the country rather than testify. I want to say to my colleagues that no matter how many witnesses may flee the country, I intend to urge that the Internal Security Subcommittee continue its investigation of the Fair Play for Cuba Committee, and I feel confident the committee will do so.

It may be that we shall have other instances of flight to avoid testifying. But I am not concerned about that. If every member of the Fair Play for Cuba Committee who is directly connected with communism or Castro should flee the country, I would not be upset about it; for without its Communist-connected and Castro-connected leadership, the Fair Play for Cuba Committee would very soon cease to exist.

[From the Miami Herald, Feb. 19, 1961]

SHE'S IN HAVANA NOW—DEFECTOR IS KNOWN FIDELISTA

(By Arthur Johnsey)

A Miami woman who became the first American to seek political asylum in Cuba was revealed by police here Saturday to be an old hand at propaganda.

She is Mrs. Barbara Collins, formerly of 1015 Northwest 112th Street, once employed by a tire company here.

According to Cuba's Government newspaper, Prensa Libre, she turned up in Havana with her 3-year-old daughter and a second Miami woman, Mrs. Lillian Clott.

Metro's intelligence division revealed Friday that Mrs. Collins came to Miami last July and Mrs. Clott last March, from the New Jersey area.

"They came for a definite purpose—making propaganda that will aid the Castro cause," said metro intelligence division.

Mrs. Clott was quoted as saying to investigators here that she sat on the reviewing stand in Havana during a Castro tirade against the United States last May 1.

"The woman said she went up there to ask Castro a question," the investigator declared.

Mrs. Clott was known as a "close friend" of Barbara Collins.

Mrs. Collins, as a member of the Fair Play for Cuba Committee, visited Havana last Thanksgiving.

While there she asked to wear the uniform of Castro's militia, metro officers said she told them.

Mrs. Collins was fired from her secretarial job here when her propaganda activities were disclosed to company officials.

Mrs. Clott was asked to resign from a job with a restaurant supply house here the same day that an apartment owner asked her to vacate an apartment at 530 Northeast 29th Street.

Earlier she had worked for a Coral Gables dentist.

An account of alleged anti-Castro terrorism in Miami, published in a pamphlet of the Fair Play Committee, is attributed to Mrs. Collins.

[From the Miami Herald, Feb. 17, 1961]

GRANTED ASYLUM BY CASTRO?—MIAMIANS DEFECTS, CUBA PAPER SAYS

Cuba's Government newspaper, Prensa Libre, claimed Thursday that a Miami woman is the first American granted political asylum by the Castro regime, a United Press International dispatch from Havana reported.

The Cuban newspaper identified her as Mrs. Barbara Collins, who was subpoenaed to appear before a U.S. Senate subcommittee hearing in Miami in January.

A Mrs. Barbara Collins, a tire company employee who lived at 1015 Northwest 112th Street, was summoned to appear before the subcommittee here last month. Attempts to reach her in Miami Thursday were unsuccessful.

Prensa Libre said that Mrs. Collins was in Havana with her 2-year-old daughter, Debra.

Prensa Libre quoted Mrs. Collins as saying she was persecuted by the FBI and other U.S. agencies because she belonged to the Fair Play for Cuba Committee, the UPI dispatch said.

Mrs. Collins was quoted as saying that after she denounced the existence of training camps for anti-Castro "mercenaries" near Miami, she was subpoenaed by the subcommittee.

After that, the Cuban newspaper said, Mrs. Collins was asked to leave her apartment by her landlady, and was trailed in Miami by followers of former Cuban Dictator Fulgencio Batista.

Prensa Libre said Mrs. Collins described her "escape" from the United States this way:

"I went to Fort Lauderdale and from there to New York, where I took a boat going to Vera Cruz, Mexico, with a stop in Havana.

"Even so, I had to swear I would not disembark in Cuba," the UPI dispatch asserted.

REJECTION OF BID BY TOLEDO METAL FURNITURE CO.

Mr. LAUSCHE. Mr. President, I rise to present to the Senate a complaint which I believe has justifiably been made by the Toledo Metal Furniture Co. The complaint is with respect to the processing of bids under an invitation identified as "FN-IS-26334-A-1-18-61."

The Toledo Metal Furniture Co. is a small business concern, and it employs approximately 60 men. In response to the invitation to bid, it submitted, before January 18, 1961, a bid to the General Services Administration, in conjunction with the Small Business Administration.

The invitation to bid stated that the bids would be opened on January 18. However, on January 18 the inviters issued a public statement that the bids would not be opened until January 26. No explanation was given for delaying the opening of the bids.

On January 26, the bids were opened; and the low bidder was found to be the Toledo Metal Furniture Co.

However, neither on January 26 nor until this day has an award been made on the bids.

On January 26, when the bids were opened, it was found that there was a bid by the Chrome Craft Co., of St. Louis, Mo. That company admittedly is a big business. It was admittedly disqualified from being considered as one of the bidders on this small contract, which involves approximately \$40,000 or \$60,000.

I repeat that the bids were to be opened on January 18. But on that date it was declared that the bids would not be opened until January 26. However, until this day no award has been made.

Later there developed a rather inexplicable condition: I can understand why this small firm is complaining: On February 18, the Small Business Administration changed the definition of what constitutes a small business.

The PRESIDING OFFICER (Mr. SMITH of Massachusetts in the chair). The time available to the Senator from Ohio, under the 3-minute limitation, has expired.

Mr. LAUSCHE. Mr. President, may I have 3 minutes more, by unanimous consent?

Mr. MANSFIELD. Mr. President, I must object; but I do so only for the RECORD, because I believe we should observe the procedure which has been outlined.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LAUSCHE. Mr. President—

The PRESIDING OFFICER. The Senator from Ohio.

Mr. LAUSCHE. Mr. President, until February 18, the applicable definition was that the term "small business" comprehends any enterprise which employs less than 500 men. But on February 18, the definition was changed; in other words, in the middle of the game, when the bids were in, the definition was changed. It was changed in such a way as to qualify the St. Louis, Mo., firm.

I call the especial attention of these agencies to what is happening; and at this time I should like to read some of the words which, a few moments ago, were read to the Senate by the Senator from Maryland [Mr. BUTLER], from Washington's Farewell Address:

Of all the dispositions and habits which lead to political prosperity, religion and morality are indispensable supports.

And a little later:

It is substantially true, that virtue or morality is a necessary spring of popular government.

And a little later:

Observe good faith and justice towards all nations.

Mr. President, in paraphrasing that, I would say: Observe good faith and justice toward all citizens.

Those words of President George Washington, in his Farewell Address, have a very effective application to what has happened under the bids to which I have referred. The rules were changed in the middle of the game, so as to knock out the bid by the small Toledo company.

Mr. YOUNG of Ohio. Mr. President, will my colleague yield to me?

Mr. LAUSCHE. I yield.

Mr. YOUNG of Ohio. Let me say that today my colleague has rendered a real and needful service by calling attention to an act of discrimination in Government bidding procedures, an obvious changing of the rules in the middle of a contest. The changing of the definition of what constitutes a small business so as, apparently, to favor big business, as against a small firm in our State of Ohio, which had complied with all the rules, makes a farce of Federal Government bidding procedures.

I hope that what my colleague has done today will result in the taking of action in behalf of the Toledo Metal Furniture Co. I wish to associate myself completely with the remarks made by my distinguished colleague.

Mr. LAUSCHE. I thank my colleague.

CBS TELEVISION BROADCAST HIGHLIGHTS MEDICAL CARE FOR THE ELDERLY

Mr. PROXMIRE. Mr. President, whenever a major question of public affairs divides opinion in our country, television can bring home to millions of viewers in a way that will win their attention the nature of the issues involved. An outstanding recent example of this was the "great debates," in which the two presidential candidates engaged in face-to-face verbal combat, like knights of old jousting for the Nation's favor. The consequences, variously interpreted, are now a matter of history. It is plain that this unprecedented opportunity in public affairs television raised interest in the subject matter of politics to new peaks.

A much-debated subject today is the question of providing a federally financed program of medical care for old people. In the coming months we here in the Senate will be devoting many hours to analyzing and disputing the

several proposals that have been advanced. There was a time when we would have carried on our discussions largely insulated from the consciousness of the great mass of the general public. But, thanks to television, that is much less the case today.

The Columbia Broadcasting System recently presented a program on this subject, entitled "The Business of Health: Medicine, Money, and Politics." It was an informative presentation of the urgent problem of financing adequate medical care for our senior citizens. Documentary film excerpts were combined with intelligent discussion of the programs that have been advanced so as to make the salient facts and figures of the problem dramatically understandable to every viewer. From the clash of opposing opinions, those who witnessed the program were able to judge for themselves the pros and cons of the various proposals.

I ask unanimous consent that the script of this CBS program be printed at this point in the RECORD.

There being no objection, the script was ordered to be printed in the RECORD, as follows:

CBS REPORTS—"THE BUSINESS OF HEALTH: MEDICINE, MONEY, AND POLITICS"

(Reporter: Howard K. Smith; producer: Stephen Fleischman; executive producer: Fred W. Friendly)

Mr. SMITH. A cold war of medicine is being waged across the country—the forces in the conflict polarizing around organized medicine and organized labor.

Mr. SABLES. They speak of the labor movement taking advantage of their authority and control. But yet, again, I can't say without maybe not hurting someone's feelings, that I think the medical association, they ought to wake up and they ought to start acting like the educated men that they are.

Dr. EMERSON. Well, we're not necessarily on the defensive for medicine, but we're on the defensive for the public. This is not necessarily the doctor's battle—this is the battle in America. And I'm reminded of a remark that Stalin is supposed to have said—in that the medical profession is the keystone of free enterprise in America. In order to socialize America, you must destroy the freedom of the medical profession. Once you destroy the freedom of the medical profession, you will find that the other professions, and a number of the businesses, will fall by the wayside.

Dr. BENEDICT DUFFY. Socialized medicine is a whipping boy word and it's come to mean by official propaganda of the American Medical Association the denial of free choice by the patient of his physician or of the type of medical care, and a heavy hand of Government on all aspects of patient care. Well, the fact is, there is a great deal of Government influence in patient care already. And if it weren't for Government support of our medical schools, they wouldn't be in existence.

Mr. SMITH. The battleground is not the operating room or the diagnostic laboratory—but the union hall and the medical society meeting room. The issue: What kind of medical system shall we have? Can private, voluntary health insurance be made to work effectively? Where the fever of the speeches runs higher than the fever of their patients, doctors pick up the jargon of collective bargaining, and labor leaders become expert in medical care standards and hospital costs. Each side in this battle of the scalpel and the dollar disavows the objective

of socialized medicine—yet its specter hangs heavy over every debate.

Mr. LEHMAN. In 1949, when I first ran for the Senate, I said, in the course of my campaign, that I was opposed to compulsory national health insurance. I said that other methods of meeting the problem must be explored and followed. Eleven years have come to pass since then. I must tell you today—and this is the first time I have ever said this publicly—that if I had known in 1949 what I know today, I would not have made these campaign speeches against national health insurance in 1949.

ANNOUNCER. Tonight and every Thursday night at this time—the world of reality—"CBS Reports" alternating with "Face the Nation" debates.

Tonight—"The Business of Health": The \$18 billion Americans spend each year for medical care. What has become one of America's largest industries is now explored by CBS News Correspondent Howard K. Smith.

Mr. SMITH. We're caught in a medical revolution that is producing an explosion of technical and scientific techniques. In the span of a few short years, we have advanced from the country doctor to the specialist—from the horse and buggy to the betatron. It produces radioactive beta rays for the treatment of cancer—and perhaps it best illustrates one reason for the mounting costs of medical treatment. The same medical revolution that produced the betatron is causing another kind of explosion, an explosion in economics, for the central question is: How are you going to pay your medical bills? Can we afford the miracles in medicine we are creating? Today, if you should be unfortunate enough to have a serious illness, or need a major operation, this is what you're most likely to encounter. Visits to your family doctor—four or five perhaps—\$25. He sends you to a specialist to confirm the diagnosis—\$25.

SPECIALIST. OK, take down a small sip.

Mr. SMITH. X-rays, no doubt, are required—if a gastrointestinal series is needed—that's \$150. Blood tests, \$50; other miscellaneous tests and laboratory work, \$25. If the operation is necessary, it means a hospital room (semiprivate), 17 days, \$510. Operating room fee, \$75; and anesthesiologist, another \$75. Your surgeon, into whose hands you put yourself with confidence, his customary fee for this procedure, \$550. A transfusion may be required. That means blood, \$200. There undoubtedly will be drugs and medicines, \$45; and perhaps special nursing during the recovery period, \$280. The operation is a success. You're feeling better. And if you can walk out of the hospital, your only expense now is a taxi home. Your total bill, \$2,010. The quality of medical care you received—excellent. Your recovery assured. But if every cent had to be paid out of your own pocket, who could afford it?

To protect ourselves from the financial distress that can come with heavy medical bills, 123 million Americans today have bought some form of health insurance coverage. However, a recent analysis by the Health Information Foundation has revealed that the average insured American family has only 24 percent of all its medical bills covered. This woman's husband died of cancer after a 2-year illness.

Mrs. WAGNER. I paid over \$11,000. That was with doctors and hospitals and medicines and all different things like that. I'd get a bill from a doctor for \$460—you know that the Blue Shield'd pay, and then they'd send me another one for \$260. So, in all, I was paying doctor bills every time they submitted one to Blue Shield, I got one, too. I had some nice doctors that was willing to take what they got from Blue Shield and Blue Cross. But I had one doctor—and he told me what it was going to

cost over what they were paying, and I cried. I told him I couldn't pay it, which was the truth—I didn't have it. So he says to me, don't worry, you'll pay it. So I didn't pay it and he put it in the hands of a payment agency. And I just settled with them. They wanted more than I gave them. I didn't have it.

Mr. SMITH. What about this gap in medical protection? We sought an answer to this question from the national heads of the blue plans. James E. Stuart, president of the Blue Cross Association. And Mr. Castellucci, executive vice president of the Blue Shield medical care plans.

Now, let's assume that I'm a patient and I've just had an illness requiring both hospitalization and surgery, and assume that my bill has come to \$2,000. That would mean that you would pay \$500 of my \$2,000 bill, and I would have to pay the other \$1,500. Now, is it your purpose to extend coverage beyond that in the future, Mr. Stuart?

Mr. STUART. Mr. Smith, if you had gone to the hospital and had the \$2,000 bill and you had the best available Blue Cross plan and the best available Blue Shield plan in a service area, you would have had no bill to pay except personal convenience items on your hospital charges. Now, if you had what you call a standard contract, and if you ran over the 20 days, you would have a partial payment toward your bill—one-half, probably, and you would have to pay the balance.

Mr. CASTELLUCCI. As far as Blue Shield is concerned, the fee paid for surgery, or whatever service may be involved, would be paid in full, if the patient was in the under income bracket and going to a participating physician in the service plan area.

Mr. SMITH. Well, what about the patient whose income level is annually above that basic level of \$4,000 or \$6,000? He has to pay more. Blue Shield does not cover all of his costs. Is that not a system of discrimination against people with higher incomes?

Mr. CASTELLUCCI. I wouldn't call it discrimination. In those cases, the doctor is privileged to charge his customary fee. The contract that he has with Blue Shield is to accept less than his customary fee for those people under income. Actually, the same fee is paid by Blue Shield, so it's not discrimination as far as money is concerned—only giving the doctor the privilege of making this additional charge, if there is one.

Mr. SMITH. A president of a local union registers a complaint of his members.

Mr. SABLES. These are reports that we receive from the 7,000 members that I represent—that doctors—the first question they ask you, whether it's in a hospital or in his office, is what type of coverage you have. I'm starting to wonder if it's better to tell the doctor you don't have any insurance and maybe he'll take pity on you and charge you according to what he thinks you can afford. But knowing that you have Blue Cross or Blue Shield, or any of the other programs that are supposed to be comprehensive, and they are not, he ends up getting \$2 or \$300 from Blue Cross and hitting you with another \$2 or \$300 bill.

Mr. SMITH. For organized medicine—Dr. Leonard Larson, president-elect, American Medical Association.

Dr. LARSON. I understand that there have been instances where patients have been asked whether or not they're on—whether or not they have insurance. Second, that the bill has been padded, so-called. But I am sure that through the efforts of organized medicine on the local level, State, and county, that those objections are certainly being reduced to a minimum. And I hope they're eliminated entirely. I don't approve of a physician asking a patient whether or not he has insurance, just because he wants to find out how much money the patient

is going to get on his insurance. I don't believe in that.

Mr. SMITH. With the spiraling costs of medical care after World War II, organized labor started a drive for new forms of health insurance that would cover more of the union members' medical bills. It set off a controversy with the medical profession that is only now reaching a climax. Labor found champions in their medical care fight in three dynamic and colorful personalities of the day.

The flamboyant mayor of New York, Fiorello H. La Guardia, took up the fight for broader health insurance coverage when he discovered that many city employees were in deep trouble because of burdensome medical costs.

JOHN L. LEWIS. The United Mine Workers of America has again accomplished the impossible.

Mr. SMITH. The flinty John L. Lewis, curmudgeon of the coalfields, lifetime president of the United Mine Workers of America and onetime organizer of the CIO. He became a prime target of medical societies in a dozen States for his union-controlled medical and hospital program.

At the opposite end of the labor-industry axis, the rugged individualist, Henry J. Kaiser. He started a medical care program for his workers in steel, shipyards, and construction on the West Coast during World War II, later expanded and opened to the general public as the Kaiser Foundation Health Plan. Each threw a bombshell into the ranks of organized medicine. They set up health plans that took doctors out of private practice, put them on salary or in partnership arrangements in clinics, medical centers and hospitals to provide total care for the plan members. The plan has been accused of practicing "assembly line" medicine. This charge is answered by Henry Kaiser.

Mr. KAISER. Well, I feel that the American Medical Association is frightened of anything that they think is a foot in the door which would affect it, their business. And, naturally, they'd be frightened. But they've been frightened of all these various plans, ours in particular. They've never been happy about ours and they've never been happy about any plan, except those doctors who participated in it, and who had the joy of serving the people and feel human needs and had no concern with how it was paid for.

Mr. SMITH. Today, on the west coast, the Kaiser plan serves nearly 1 million members in major metropolitan areas from Los Angeles, Calif., to Portland, Oreg., with a heavy concentration in the San Francisco-Oakland Bay area. It operates 14 accredited hospitals in key population areas. It operates over 40 medical centers in neighborhood communities, where groups of doctors are available to members for both home and office visits. It employs 700 full-time physicians and specialists to staff its hospitals and medical centers. For a monthly payment of \$7 per person, \$20 for a family, members get complete medical and hospital coverage. It includes preventive health checkups and treatment of everyday minor ills as well as any major problem. This method violated a long-standing tradition in the medical profession—the payment of money by the patient to the doctor—the fee-for-service rendered. Here, there is no financial relationship between patient and doctor. Payment is made through the health plan.

RECEPTIONIST. Is there any special doctor you wish to see?

Mr. SMITH. The patient no longer has to worry about unexpected or catastrophic medical bills in case of serious illness. Effect of the plan? Nearly a million people on the west coast withdrawn from the mar-

ket of private fee-for-service practice in the community. Many people object to closed-panel health plans, such as the Kaiser plan, because they allow only a limited choice of doctors—a selection from among those doctors working within the plan. Free choice of doctor is a basic principle of organized medicine. Among patients, this is a commonly held opinion.

JOE HORAN. I like to choose a doctor that I have confidence in. My family has had a family doctor and we continue to go to him. Now, if all of a sudden I had to go to a different doctor, I don't believe I'd have the confidence of a different doctor that I didn't know to take care of my family and myself. I wouldn't know his reputation or his background; whereas, if I can choose my own doctor, I can ask around, and ask other people what type success they had with certain physicians—and how they've made out.

WOMAN. Open and close your fist several times, please.

Mr. SMITH. In New York City, the La Guardia-inspired Health Insurance Plan—or HIP as it is called—was launched in 1947 as a medical care program for city employees. Today, HIP has 32 medical centers in neighborhoods throughout the city. All New York City employees are eligible for membership.

WOMAN. Do you have the HIP card?

Mr. SMITH. Enrollment has also been opened to other employee and labor groups.

MAN. This is an 8-year-old child who—

Mr. SMITH. The plan has a staff of 1,000 physicians and specialists, providing complete medical services for a fixed charge per month.

Effect of the plan? Half a million New Yorkers—members of HIP—have been withdrawn from the market of private fee-for-service medicine in the city. Doctors in private practice have reacted sharply to this type of plan because it limits the patient's free choice of doctor. Some feel it is a step toward socialized medicine in America. At a county medical society discussion, Dr. Ralph S. Emerson speaks on the subject.

Dr. EMERSON. And that is that we have the best hospitals in the world—we have the best medical care in the world—and we are one of the few remaining countries who have free enterprise in medicine—and this we dearly cherish—and we also have free enterprise in our businesses. Now, if you look to the other countries, and see how they have fallen by the wayside—and those countries which have socialized, Uncle Sam has had to pick up the tab. If we socialize, who's going to pick up the tab for us? There isn't any one. And then we are going to be in competition with the Communist world, on the basis of one socialism against another—whether you call it socialism or communism, it's practically one and the same. We are fighting for the preservation of free enterprise, not only in medicine but free enterprise in America.

Mr. SMITH. An opposite viewpoint is held by Dr. Henry N. Pratt, director of the New York hospital, the distinguished teaching hospital of Cornell University Medical College.

Dr. PRATT. There's a great deal of misunderstanding about this term, "socialized medicine." In effect, it means Government taking over all the health services and operating them, and the doctors of the country becoming employees of the Government as is true in most other countries in the world. Now, a "closed-panel plan," or any other type of insurance mechanism, which will provide adequate health services for the population through voluntary effort, these to me, are the very programs that are a bulwark against the socialization of medicine through governmental interference, and I would heartily endorse them and would hope that we could continue to experiment with many types of practice of medicine, in order

to provide the public with the sort of care it needs without Government having to play a role.

Mr. SMITH. In 1947, a Government survey uncovered a shocking lack of adequate medical services for miners and their families living in the 300-mile soft-coal belt of Virginia, West Virginia, and eastern Kentucky. The region, traditionally, has had many social and economic problems—frequently a depressed area, even in good times. Old-timers, in a Virginia mining camp, recall medical conditions as they existed.

Mr. PARSONS. I have known of men being injured in the coal mines and taken to the hospital and laid as high as 8 hours without even being bathed or any attention given to them whatever.

Mr. EDENS. Back in the olden days, we had very poor medical aid, and when we had to go to the hospital, we had very poor hospital service in this part of the country.

Mr. SMITH. A mine union official remembers it this way.

Mr. DEATON. We'd pay these big doctors through the checkoff. He'd have, in certain areas, he'd have 3 or 4—maybe 8 or 10 younger doctors—many of them just kids—not too well educated, and he would pay those a salary to attend the coal camps. And they wasn't—like I say, too well educated. We didn't get no medical care that's, I'd say, that was fit for stock.

Mr. SMITH. John L. Lewis organized the United Mine Workers Welfare Fund—the biggest do-it-yourself medical care program in labor history. The program brought medical and hospital care, free of charge, to the neglected 200,000 miners and their dependents in the mining areas across the country, wherever they may live or work. The program brought physical rehabilitative services to over 97,000 disabled miners and dependents in the first 5 years of its operation.

DOCTOR. This is the first replacement you have had since 1955. Is that right?

PATIENT. Yes, it is, doc.

DOCTOR. Does it feel like it's working all right?

PATIENT. Yes, it feels good.

DOCTOR. Think you can get back to work now?

PATIENT. Yes, sir; I do.

DOCTOR. Good.

Mr. SMITH. It unearthed and treated a 20-year backlog of chronic cases—paraplegics, amputees, and mine injury victims of every description.

DOCTOR. Do you have any pain now since we've been putting it down like this?

Mr. SMITH. The program led to the construction of 10 new hospitals in the medically blighted soft-coal areas. Like many of the mines in which their patients work, the hospitals are equipped with the latest in automated facilities.

WOMAN. Mashed potatoes—lima beans.

Mr. SMITH. They provide up-to-date techniques in modern patient care. They offer the mineworker and his family something he never had before—a quality of hospital care to compare with some of the best standards in big city medical centers.

Miners have always been plagued by a disease of the lungs called soft-coal workers pneumoconiosis, caused by the constant breathing of coal dust. It is treated routinely at the miners' hospitals by special techniques. This machine registers lung capacity. The patient must be shocked into expelling every last breath of air.

NURSE. OK. Now, let's take in a great, big, deep breath. Take in a deep breath—deep breath. Come on, take in a deep breath—deep breath. Now, blow it all out—blow out—blow out—blow out—blow out—blow—blow—blow—blow. Okay.

Mr. SMITH. A paradox of the union welfare plan: miners receiving medical and hospital care up to the best standards in the

country are frequently returned from hospitals such as this—to a home environment like this. Many still live in conditions reminiscent of the depression thirties. For many of these people, their medical and hospital care is often their most valuable possession. From this mining camp at Jones Creek Hollow, Harlan County, Ky.—to Keokee, Va., the most prosperous camp in the region, the welfare money spent is a significant prop to the local economy. Nationwide, the union welfare fund spends \$61 million a year on its medical care program alone, derived from a royalty of 40 cents on every ton of coal produced. Should it be withdrawn, the mining areas across the country would be faced with heightened economic, to say nothing of medical, distress. The medical director of the Harlan Miners Memorial Hospital, Dr. David Greeley.

Dr. GREELEY. When we came we didn't know what was going to happen. We didn't know whether we would be accepted into the county society or not. Shortly before the hospital opened, the administrator and I, and our chief of medicine too, met with the leaders of the county society, and we explained to them why we were here, what we hoped to accomplish—that certainly we didn't want to take their patients away from them, that this was an open staff hospital and we hoped that every one of them would take advantage of this and accept appointments on the staff, see their patients here and use members of our staff in consultation. It worked. I don't know why, except that I think people wanted it to work. And since day one, we have all been members of the county society. In the four counties in Kentucky, where the members of our hospital staffs are not members of the county medical society, I think it's primarily because there are some people—not very many—but a few who don't want it to work, for reasons perhaps best known to themselves.

Mr. SMITH. Effect of the plan: 1 million patients, the 200,000 miners and their dependents, withdrawn from the market of private, fee-for-service medicine in their communities. A doctor in private practice in the city of Harlan, Dr. E. Murphy Howard, says:

Dr. HOWARD. If they're going to build these memorial hospitals, and they're going to put all the other hospitals out of business and they're going to put all the mine doctors out of business—and that it'd be complete community care. That statement was made, I reckon, beyond peradventure of a doubt, and as I understand it, it's illegal—corporate practice of medicine is in the State of Kentucky. It's not illegal for a doctor to employ an assistant to help him, but it's illegal for a corporation to exploit the doctors by paying them a salary and employing them to do practice.

Mr. SMITH. Professor of preventive medicine at Seton Hall Medical College, Dr. Benedict Duffy.

Dr. DUFFY. One of the most difficult problems is to find out exactly what the AMA is thinking at any given time. In fairness to our union, it is made up of many differing societies. They don't all agree. Some of them are more advanced or look at things in a different way than others do. But I can recall in a community in New York State, less than 20 years ago, the organized county medical society fighting and defeating, temporarily, Blue Cross voluntary health insurance. This seems incredible. A few years ago and still to this time, as far as I'm aware, closed-panel medical care is so fraught with evil in the mind of official people in Chicago, the AMA office, that they feel that a person in a closed panel should not be a person in good standing in his medical society. I think that this is a shortsighted point of view. I think that a labor union, mineworkers, or Mr. Kaiser, these people have every right—the health insurance plan

in New York City is a good example. They have every right in these plans to provide good medical care, and I don't think that we in the AMA should ever stand against good medical care.

Mr. SMITH. The American Medical Association is the leading organization of the medical profession. AMA president-elect, Dr. Leonard Larson.

Dr. LARSON. Well, we believe that as a fundamental principle a patient should have the right to choose or change his physician. I had an experience in New York a couple of years ago when we were making this study of some of the plans in which a waiter in the Statler Hotel restaurant was telling me about his plan—his union plan, and I asked him how he liked it, and he said: "It's good." But he said, "We had our first baby some time ago and my wife didn't want to go to that clinic doctor." "Well," I said, "why?" "Well, she didn't like any of them." "Well," I said, "what did you do then?" He said: "She went to her own doctor that she picked out and she likes him." "Well," I said, "did the plan pay for that?" "No," he said, "I had to pay for it myself." Now, that has been a controversial subject for a long time, because these so-called closed-panel plans do not permit complete freedom of choice. Many of the controversies that have developed around the country between the local medical societies and these plans have been primarily over that one issue. Well, traditionally, I think in a free enterprise system, such as we have in this country, those who render service, regardless of what it is, medical, dental, nursing, television, whatever it may be, use a fee-for-service system. In other words, they're paid by the hour, or they're paid for what they believe the service is worth. I would hate to see the time come that some of those traditional concepts of freedom in this country would be entirely done away with.

Mr. SMITH. Labor's spokesman, AFL-CIO director of social security, Nelson Cruikshank.

Mr. CRUIKSHANK. Some doctors, at times, seem to be primarily concerned with their business interests. Now, I'm certainly not saying that all doctors are at all times, not by any means. But doctors think of themselves as being in business. They actually, in their own letters, and circulars, and magazines, talk about the competition for their services. Well, now, as businessmen this makes sense, this fee-for-service thing. It relates right to this market concept, that health care is a marketable commodity, like a loaf of bread, or a steak on the meat market counter. Now, this isn't nearly so true with respect to their relationship, as a profession. Because, as a profession, they're interested in health services and care for the people. Our feeling is that they're much freer to operate in the professional—free professional area—if they're not on a fee-for-service basis.

Mr. SMITH. On the west coast, the Kaiser health plan operates, and controls its own hospitals. In the mining region of Virginia, West Virginia, and eastern Kentucky, the United Mine Workers Welfare Fund operates, and controls, its own hospitals. In New York City, HIP depends on the voluntary and private hospitals of the community, when hospitalization is required for its members. This proved to be a major weakness of the plan. It caused a 2½-year controversy with organized medicine on New York's Staten Island over the right of HIP doctors to practice in community hospitals. The bitter conflict led to the intervention of a New York State legislative committee. That report immediately after a short pause for station identification.

ANNOUNCER. We continue with CBS reports—"The Business of Health." Here again is Howard K. Smith.

Mr. SMITH. If the battle of the health plans is often obscured by fiscal details and ethical

concepts that the patient doesn't always understand—this skirmish on Staten Island, N.Y., last summer, brought the issue into dramatic focus. It started with what some called the Staten Island ferry baby rush. Expectant mothers, living on Staten Island, who were members of the HIP medical plan, were racing the stork across the waters of New York Bay to have their babies in Manhattan hospitals. The situation resulted when qualified obstetricians, associated with HIP, were allegedly barred from the three voluntary hospitals of Staten Island.

In July, a New York State legislative committee looked into the matter. State Senator George R. Metcalf's Committee on Health Insurance Plans held public hearings. The committee heard testimony from county medical society officers, and hospital administrators—from city employees, and members of their families—HIP directors, and their labor supporters. This woman—an HIP subscriber—headed a delegation of expectant mothers.

Mrs. FEALY. Let's face the fact that our prepaid care hasn't been compromised—it's been sabotaged, and I think you can ask any expectant mother in our group for her feelings on that subject. It is our contention that the medical profession, first and foremost, should serve the sick. And doctors who have been trained to administer their services should be allowed to do so.

Mr. SMITH. A city employee testifies.

Mrs. MUGGETT. We further feel that when we are admitted to our own hospitals, we have a right to be treated there by the doctor or doctors of our choice. Now, when our so-called voluntary hospitals fail to admit a HIP doctor for 2½ years; when hundreds of us are forced to take long, inconvenient and even medically dangerous trips to Manhattan, Bayonne, and other distant points for hospitalization, we know that a plot exists against our medical plan.

Mr. SMITH. He brought his family—to make a point.

Mrs. MUGGETT. Now, when they have any kind of a fund drive, or of taxation, we pay directly for it. Now, we're first-class citizens in that respect, but second-class when we can't use our hospitals. And I don't think that's right. I mean, if it keeps up at this rate the people are not going to call doctors. They're just going to go to the drugstore—ask the druggist what to do for their youngster, because they are not in a position to pay the fees the doctors are charging. Now, we are on a fixed income. We don't have \$17 or \$21 to put out at one time when our youngsters are sick. And I don't think anybody else does either—unless they happen to have one child, or they are making a tremendous salary. But on ordinary salaries, you just can't do it. So I think more people will be joining these HIP or insurance plans to take care of their health needs, because otherwise they will never get it.

Mr. SMITH. Dr. George Baehr, a founder of HIP and member of the Board of Hospitals of New York City. He charges the medical society on Staten Island and the three hospital boards with conspiracy in restraint of trade.

Dr. BAEHR. The county medical society and the medical boards of the three hospitals believe that they have now discovered HIP's Achilles heel. And that by their joint action, they may be able to destroy the Staten Island medical group and HIP, and thereby obtain an addition of 24,000 patients to their own fee-for-service practice.

Mr. SMITH. He is questioned by Senator METCALF. Is the HIP operation harmful to the physicians in private practice on the island?

Dr. BAEHR. Well, every new doctor that comes into a community, who has patients, is harmful financially to the doctor who might have gotten that patient. And in that

way it's harmful, but it's good for the patients. And when they all gang up on you then it's conspiracy in restraint of trade, I think.

Mr. SMITH. The committee questions the Staten Island doctors—officers of the county medical society opposed to HIP.

Mr. RUSSO. Why should they be discriminated against?

Mr. SMITH. Dr. Herbert Berger admits social discrimination against HIP doctors.

Dr. BERGER. Personally, I say they are socially discriminated against, but not medically. I've made that point several times.

Mr. RUSSO. In other words, you're setting yourself up as a court of judgment, so to speak, on a plan—an insurance plan.

Dr. BERGER. Well—

Mr. RUSSO. And you're saying, in so many words, or in substance, that any medical man that's affiliated with that is going to be ostracized insofar as appointment to your hospital is concerned.

Dr. BERGER. Sir, each of us, I'm sure are courts of judgments, in many areas.

Mr. RUSSO. It's very difficult for us to believe then, that these men are not being discriminated against in their appointments to medical staff and to courtesy privileges of Staten Island hospitals—when you, as a chief of one of those hospital medical staffs, make a statement like that.

Dr. BERGER. We have actually—I think if you'll read further along in there, that despite my abhorrence—no, I'd like to finish this, sir. Despite my personal abhorrence of this plan, I have voted for the inclusion of these names here, because these people did have to be covered, and we have more than a sufficiency of these individuals in our institution.

Mr. SMITH. Dr. Joseph Shanaphy, in an interchange with Committee Chairman METCALF, takes the position that eligible physicians are not automatically entitled to hospital staff appointments.

Dr. SHANAPHY. Is the patient. Now, if one individual—whether he's in or out of HIP, as far as I'm concerned, doesn't make any difference. If one individual is found, for reasons other than his technical qualifications, not acceptable to the other people on the medical staff, he has no right to a staff appointment.

Mr. METCALF. This is a fantastic statement which I hope the press takes down. You mean to tell me that you think that these people should be judged by whether they work with the other members of the group? These people are taking care of the health of the people.

Dr. SHANAPHY. Right.

Mr. METCALF. They're not being told whether they can take care of the health of the people whether they belong to the so-called club. Well, would you answer that question?

Dr. SHANAPHY. Not as a yes or no answer—no. I can—

Mr. METCALF. This is incredible to me.

Dr. SHANAPHY. I can only answer that by saying when a hospital does not function sufficiently and properly, the only ones who suffer by this are the patients.

Mr. METCALF. You mean to say the patients are suffering because the boys don't get along downstairs, when they go down to the lunch room, or something?

Dr. SHANAPHY. It carries over more than that, sir.

Mr. METCALF. Do you realize what you're saying?

Dr. SHANAPHY. Well, might I turn the question a little bit and say, is every lawyer admitted to practice in every court in the Nation, merely because he is a graduate of a grade A law school?

Mr. METCALF. We're saying whether they're technically qualified or not. That's what Dr. King was talking about. That's not what you're talking about. You're talking about

whether this man gets along with the rest of the fellows in the group.

Dr. SHANAPHY. A man should not be denied privileges, merely because he is affiliated with any health insurance plan. This I would agree with. He should not be denied privileges merely because of it. But I do say that his eligi—not his eligibility but—I think I used a different word here—he is not automatically entitled—he may be automatically eligible for a hospital staff because of his technical proficiency and training. But that does not make him automatically entitled to it.

Mr. METCALF. And you're going to be the judge of whether he gets on this board or not and whether he can take care of people, and whether he can't.

Dr. SHANAPHY. I'm only going to be one.

Mr. METCALF. To me again, I think it's an incredible nerve for anybody to say that he can decide whether somebody's going to take care of people in a community.

Dr. SHANAPHY. I'm only going to be one of many. I may be completely overruled by my fellow physicians. I feel that I'm entirely entitled to my own convictions as to why I wish, or do not wish to associate with an individual and an individual hospital. I'm entitled to vote in that fashion. Now, I may be outnumbered. If I am, so be it.

Mr. SMITH. Result of the hearing—a compromise solution. Five additional doctors granted staff appointments in the Staten Island hospitals. But in principle, organized medicine held its position. Restrict the closed-panel health plans. Their most effective weapon—the hospital staff appointment. A doctor unable to practice in a hospital is like a lawyer not allowed in court. A famous Belgian doctor, Rene Sand, once said: "We can buy human life. Every nation within certain limits sets its own death rate." In 1952, a Presidential Commission on the Health Needs of the Nation declared health to be a basic, human right. Pressures are mounting mainly from organized labor, for more complete health insurance coverage. James E. Stuart, president of the Blue Cross Association.

Well, in preparing this report we talked to one woman whose husband died of cancer after a long illness. And the result to her, in addition to losing her husband, was financial calamity. Is there anything that can be done about cases like that?

Mr. STUART. Well, I think that health care is now a matter of right to the American people and not a matter of chance or privilege, or whether or not they have the means to—available to, at the moment, to pay the bill. I think we have to extend voluntary coverage to all of the American people that are self-supporting; that are economically self-sufficient, and we've got to try to make it available to the total population of people who can afford to protect themselves and budget in advance for the illness in the future.

Mr. SMITH. And then what happens to those who are not self-supporting?

Mr. STUART. That is the responsibility of Government.

Mr. SMITH. Relations between organized medicine and organized labor reached a breaking point last summer. The issue: medical care for the aged. The American Medical Association strenuously opposed the intervention of the Federal Government in providing medical care for the aged through the social security system proposed by the controversial Forand bill. This is Madison Square Garden, New York City, a rally of the Council of Senior Citizens Clubs. Twenty thousand elderly citizens turned out to cheer their champion then in Congress, Representative Aime J. Forand of Rhode Island, author of the Forand bill.

Mr. FORAND. But I'm happy to say this—that at long last, every one who has given any thought at all to the problem of health

care for the aged, now agrees that the need exists. That goes for the American Medical Association as well as for every other group. The only disagreement, is how are we going to take care of this problem? Now, they talk about voluntary versus compulsory. I admit that my proposal would be compulsory for every worker to get into the system. And you know as well as I do that the average worker would be tickled to death to pay an additional 25 cents a week to get these benefits. And that is based on the idea that that worker would be having a salary of not less than \$4,800 a year. If he were only earning \$2,400 a year the cost to him would only be 12 or 13 cents per week—half the price of a pack of cigarettes. And the beauty of it is, that while he is working—he or she is working—he would be prepaying insurance for himself and his dependents, so that when he reaches retirement age his insurance would be paid up.

Mr. SMITH. AFL-CIO President George Meany took the rostrum in support of the social security measure.

Mr. MEANY. The people of this country started taking an active interest in this issue. They heard the American Medical Association denounce the Forand bill as socialized medicine. On investigating further, however, they discovered it would not impose Government control over medicine. It would not change existing relationships between doctor and patient. The charge of socialized medicine clearly was without foundation.

Mr. SMITH. The American Medical Association won the skirmish but the battle continues. AMA president-elect, Dr. Larson, explains why.

Dr. LARSON. One of the basic reasons why we object to inclusion under the social security system is that we feel certain, because of past history, that if service for the aged is provided under the social security mechanism, beginning at 65 or 68 or 70, it doesn't make any difference, that 2 years from now it's going to be down to 60; 4 years from now it'll be 55, or something like that, and ultimately every one in this country will be covered. And we think that that then will be the end of the private practice of medicine in this country.

Mr. SMITH. Nelson Cruikshank expresses labor's viewpoint.

Mr. CRUIKSHANK. Now, we propose that a large part of the cost of medical care should be paid for on the social security principle. And the reason we say this is the only way this area of need can be met, is because under social security you can spread this cost over the entire working period of a person's life. And beyond that you can spread it in another dimension. You spread it over all of the working population. Now, this is the only way that you can keep the rate down to where it can be managed. As long as you just ask the old people to buy old people's insurance, the rate is going to be so high that they can't afford it. Or, if you want to cut the rate down to where they can afford it, then the coverage will be so limited that it won't really bear a significant portion of the burden. Four years ago, the AMA raised these same arguments against the extension of social security benefits to the totally disabled. But just the other day, I noticed that the AMA is now joining the Social Security Administration in the distribution of a film to doctors on the sound administration of the disability insurance program. And yet, 4 years ago, they were saying, literally they were saying, the passage of the disability provision of social security would be the end of private practice of medicine in America. Now, they were wrong on that, and I think they would agree they were wrong on that—that private practice of medicine has not ended in America. We think they're just as wrong about the extension of the cost of medical care for older people through the social security mechanism.

Mr. SMITH. Addressing the Beverly Hills Rotary Club in California, AMA president, Dr. E. Vincent Askey steps up organized medicine's campaign to defeat new legislation tying medical care for the aged to social security.

Dr. ASKEY. I want to thank you for the opportunity to toot the American Medical Association horn just a little bit, and I hope that you'll pardon my probably obvious pride in this organization. We have supported with vigor, in Congress, a medical assistance to the aged bill, which is now called the Mills-Kerr bill, and which is now the law of the land since Congress passed it last fall—and it was signed by President Eisenhower. The Mills-Kerr bill or law now, will provide all the care that needy individuals require—not a limited amount as proposed under social security medical care. And unlike the social security approach, it will not have Government employees telling doctors what drugs, what treatments they must give to their patients; nor telling hospitals how to operate; nor telling nursing homes what they must or must not do. This is true, because the Mills-Kerr law establishes local administration at a minimum of Federal control, and this definitely means economy as well as effectiveness. Furthermore, we believe that social security medical care for the aged would mushroom into compulsory national health insurance for every American as time went by.

Mr. SMITH. Dr. Benedict Duffy.

Dr. DUFFY. It isn't just the aged. I mean, there are many problems and they are social problems, and I think they must be met in a broad, social way. I don't mean by this socialized medicine. I think when we get into this gambit, why it's of very little value to the conversation. I do mean that certain planning must go into the needs of the people. And I would say there was no single mechanism, but I would advance that social insurance, the right of people to voluntarily enter into a program to self-insure through social security, that this free choice of physician guarantee, that this would afford an excellent opportunity to take care of some of the problem, but I think we in medical schools have got to work harder. I think the profession has to take a good look at itself, at its own house. The AMA and the doctor are supposedly the same individual. The fact is that this is not so. The fact is that the only way that a person can progress in the American Medical Association, is to proceed into one's declining years, because it's a seniority system. It's an oligarchy of older men who have decided that what was good enough in their youth is good enough for our future. There are many of us who do not feel this way and we intend, if we live long enough, to try and work through our own organizations, to bring this point of view out. And I think the American Medical Association will in time become more responsive, more positive to many of the social needs which are the medical needs of our time.

Mr. SMITH. Secretary of Health, Education, and Welfare, Abraham Ribicoff, says:

Mr. RIBICOFF. Well, President Kennedy believes that health care for the aging should be under the social security system. I agree wholeheartedly and 100 percent with the President of the United States.

Mr. SMITH. Well, what is the basis for the opposition to the administration plan on medical care for the aging?

Mr. RIBICOFF. Basically, it's blind opposition. It is going back to another era before social security. It is called socialism. It is called many names. It believes that we are going to control medicine. We are going to control hospital care, but we're not going to do anything of the kind. In the measures that are being advocated by the President and that I will advocate, there will be completely free choice. You and I and every

other American will have a right to pick his own doctor. You will have a right to pick your own hospital. You will have a right to pick your own nurse. The administrative costs under social security—the overhead, so to speak, is some 2 percent. There isn't a private group or an insurance company anywhere that can operate that cheaply, and with the overall coverage, the experience and the acknowledgment, and the acceptability of social security now by practically every American, social security will give the best coverage, the most coverage, and the cheapest coverage to the people of the United States.

Mr. SMITH. Why do you find the Kerr-Mills bill inadequate?

Mr. RIBICOFF. Well, it only takes care of the indigent and doesn't take care of the basic middle group of American people. The indigent, somehow, have always been taken care of by society. The very wealthy take care of themselves. Basically, we're interested in taking care of the great bulk of Americans.

Mr. SMITH. Can you anticipate what will happen to the administration's plan in Congress?

Mr. RIBICOFF. Well, I would say that there will be a difficult fight, because it involves payroll taxes. It will have to go to the House first. This bill will have tough sledding.

The opposition is strong. I do believe that the American people are for health care for the aging, under social security, and will make their views known. I am very hopeful that we will be able to bring out a good health care for the aging under social security before Congress adjourns. This, of course, was advocated by the President in the Anderson-Kennedy bill in the Senate last year, and the President campaigned on this issue across the country. He has mentioned it in a state of the Union message on Monday, and the bill that will be introduced will be to carry out President Kennedy's basic philosophies.

Mr. SMITH. Organized medicine is bitterly opposed to Government intervention in the medical insurance field—for the aged or for anyone else. But most experts agree that the practice of medicine is changing rapidly, being revolutionized by new scientific advances and by new approaches to financing health care. The American medical profession stands at a crossroad. Which direction will it take? Dr. Pratt puts it this way:

Dr. PRATT. If the medical profession, the hospitals, and all those agencies providing health services, wholeheartedly cooperate with each other to provide better integration of these services, even though it may mean giving up a certain amount of autonomy, and if we all wholeheartedly support experimentation in various mechanisms for providing health services, such as closed-panel practice, then I believe we will forestall the necessity for Government to take over all of the health services and medicine in this country. But if we fail to do this, I'm confident that it will not be too many years before we will have true socialized medicine—that is, Government medicine.

Dr. EMERSON. The doctors are opposed to any organization, union, Government, or even fraternal organization, which comes in and attempts to interfere with the personal physician-patient relationship—or where they, in any way, limit the freedom of the doctor in treating the patient.

Mr. SMITH. Can Government intervention be avoided? The answer will, in large measure, depend upon the attitudes that prevail within the ranks of organized medicine. It must decide—and quickly—or the decision will be made by history. This is Howard K. Smith speaking for "CBS Reports."

ANNOUNCER. "The Business of Health" will be continued next week in this time period

on "Face the Nation" with a live debate between Walter Reuther, speaking on behalf of organized labor, and a spokesman for the American Medical Association, Dr. Edward R. Annis. On the eve of President Kennedy's proposals for linking old-age medical care with social security, Mr. Reuther and Dr. Annis will discuss this vital and controversial issue.

"The Business of Health" was prepared with the cooperation of the American Medical Association, Blue Cross, Blue Shield, the Health Insurance Plan of Greater New York, the Kaiser Health Plan, and the United Mine Workers Welfare Fund—none of whom viewed the program until this telecast, none of whom had any part in the editing or content of this report.

"CBS Reports"—"The Business of Health" was filmed and edited by the staff of "CBS Reports" under the supervision and control of CBS news.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of executive business, in order to consider five nominations ordered reported favorably by the Committee on Foreign Relations.

The motion was agreed to; and the Senate proceeded to consider executive business.

EXECUTIVE REPORTS OF COMMITTEES

The following favorable reports of nominations were submitted:

By Mr. SPARKMAN, from the Committee on Foreign Relations:

Henry R. Labouisse, of Connecticut, to be Director of the International Cooperation Administration, in the Department of State;

Mrs. Marietta P. Tree, of New York, to be the representative of the United States of America on the Human Rights Commission of the Economic and Social Council of the United Nations;

Lt. Gen. James M. Gavin, U.S. Army, retired, of Massachusetts, to be Ambassador Extraordinary and Plenipotentiary to France;

David K. E. Bruce, of Maryland, to be Ambassador Extraordinary and Plenipotentiary to Great Britain;

Charles F. Baldwin, of the District of Columbia, to be Ambassador Extraordinary and Plenipotentiary to the Federation of Malaya;

Douglas MacArthur 2d, of the District of Columbia, a Foreign Service officer of the class of career minister, to be Ambassador Extraordinary and Plenipotentiary to Belgium;

Raymond A. Hare, of West Virginia, a Foreign Service officer of the class of career ambassador, to be Ambassador Extraordinary and Plenipotentiary to Turkey; and

Bernard Guffer, of Washington, a Foreign Service officer of the class of career minister, to be Ambassador Extraordinary and Plenipotentiary to Finland.

By Mr. ENGLE, from the Committee on Interstate and Foreign Commerce:

Najeeb E. Halaby, of California, to be Administrator of the Federal Aviation Agency;

Robert E. Giles, of North Carolina, to be General Counsel of the Department of Commerce;

Harold E. McCall, and sundry other persons, for permanent appointments in the Coast and Geodetic Survey; and

Douglas B. Henderson, and sundry other persons, for appointment in the U.S. Coast Guard.

STATE DEPARTMENT

The legislative clerk read the nomination of Mrs. Marietta P. Tree, of New York, to be representative of the United States on the Human Rights Commission of the Economic and Social Council of the United Nations.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the nominations in the State Department be considered en bloc.

The PRESIDING OFFICER. Without objection, the nominations will be considered en bloc; and the remaining nominations in the State Department will be stated.

The legislative clerk read the nomination of David K. E. Bruce, of Maryland, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Great Britain; the nomination of Lt. Gen. James M. Gavin, U.S. Army (retired), of Massachusetts, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to France; the nomination of Henry R. Labouisse, of Connecticut, to be Director of the International Cooperation Administration, in the Department of State; and the nomination of Charles F. Baldwin, of the District of Columbia, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Federation of Malaya.

Mr. MANSFIELD. Mr. President, it is my belief that the nominations now before the Senate, reported unanimously by the Foreign Relations Committee, comprise an exceptionally good group of appointees.

Charles Baldwin, Ambassador-designate to Malaya, is an outstanding member of the State Department, and should represent us well in the country to which he has been accredited.

David K. E. Bruce, our former Ambassador to France and Germany, as well as a former Under Secretary of State, needs no introduction to the Members of this body. In the past he has served in both the Virginia and the Maryland Legislatures; thus, we feel akin to him as a politician. As our representative in various countries abroad, he has performed his duties with ability, integrity, and distinction. Mr. Bruce's career has been unusual, in that he served in both the Army and the Air Force during the First World War. In addition, to the best of my knowledge, he and Ellsworth Bunker, our Ambassador to India, are the only two Democrats who received diplomatic appointments of magnitude during the Eisenhower administration. We were, indeed, fortunate to have the services of these two men in the positions to which they were assigned under the previous administration. We are extremely fortunate because of the fact that once again Mr. Bruce has heeded the call to duty, and has consented to serve as our Ambassador to the Court of St. James.

Mrs. Marietta Peabody Tree is nominated for appointment to the Human Rights Commission of the United Nations Economic Council. It is my belief that this lady of ability and understand-

ing will be an outstanding representative of this country in the United Nations. The Nation is fortunate in having Mrs. Marietta Peabody Tree available to undertake the difficult and most important assignment which will be hers. We wish her well.

Henry R. Labouisse, who will be the next Director of the International Cooperation Administration, needs no introduction to this body, because of the fine work he has performed through the years in the field of economic systems and in connection with the most important and most difficult task of looking after the wants and needs of the Palestine refugees in the Middle East.

The last nomination before us today is that of Lt. Gen. James M. Gavin, to be our Ambassador to France. General Gavin has a distinguished record in the Army. He enlisted as a private, in 1924; and during his years in the service, he rose to the rank of lieutenant general. He is honest, candid, and vigorous; and I am sure he will prove to be a worthy Ambassador to France. I express the hope that the Congress will recognize the financial difficulties under which Ambassador Gavin, a man of modest means, will labor, and that we shall, in our wisdom, see to it that the necessary representation allowance is increased, so that he can conduct in a manner worthy of this Nation, the duties incumbent upon him.

Taken collectively, Mr. President, I believe this is an outstanding group of nominees, and I hope the Senate will give them a unanimous vote of approval.

Mr. JAVITS. Mr. President, I am happy to endorse the nomination of Mrs. Marietta Tree to be U.S. delegate to the Human Rights Commission of the United Nations Economic and Social Council. Mrs. Tree is a distinguished and able New Yorker who has served in able manner the people of the city and the State of New York, and the people of the Nation. She has been a member of the New York City Commission on Intergroup Relations, of the Fair Housing Practices Commission, of the Urban League, and of many other well-known groups in the fields of social and human welfare.

I believe that this appointment is a most deserved and merited one, which will bring credit to the United States and to the United Nations.

The PRESIDING OFFICER. Without objection, the nominations are confirmed en bloc.

Mr. MANSFIELD. Mr. President, I ask that the President be notified forthwith of the action taken by the Senate.

The PRESIDING OFFICER. Without objection, the President will be notified.

APPOINTMENT OF CLIFTON R. WHARTON AS AMBASSADOR TO NORWAY

Mr. MANSFIELD. Mr. President, some years ago I had the pleasure of meeting a distinguished American career Foreign Service officer who was at that time assigned to Portugal. I found him

to be a highly skillful, understanding, and tactful diplomat.

It is with great pleasure, therefore, that I have learned of the appointment of this able man, Clifton R. Wharton, to be Ambassador to Norway.

Mr. Wharton has already served our country with ability and distinction in the Foreign Service for 34 years.

We are indeed fortunate to have Ambassador Wharton represent us in the important nation to which he will be sent.

I extend to him and Mrs. Wharton my congratulations and best wishes on the assumption of Mr. Wharton's new responsibilities, which I have every confidence he shall discharge, as always, with great benefit to the Nation.

In this connection, I ask unanimous consent to have printed in the RECORD outlines of his career as they were published in an article in the Washington Star of February 21, 1961, and an editorial in the Washington Post of February 22, 1961.

There being no objection, the article and editorial were ordered to be printed in the RECORD, as follows:

[From the Washington Star, Feb. 21, 1961]
NEGRO CAREER DIPLOMAT NAMED TO NORWAY POST

President Kennedy has chosen Clifton R. Wharton, a Negro career diplomat, to be Ambassador to Norway.

Mr. Wharton, 61, is now Minister to Rumania. He has been in the Foreign Service 34 years.

As Ambassador at Oslo, Mr. Wharton will hold the highest rank ever attained by a member of his race as a U.S. career diplomat.

Other Negroes have served as Ambassadors, but they held their posts as political appointees.

Mr. Wharton's road to an ambassadorship has been the hard way. His first State Department job in 1925 was as a law clerk at \$1,860 a year.

Three years ago, President Eisenhower named him Minister to Bucharest. Prior to that appointment, Mr. Wharton had been consul general at Marseilles, France.

In going up the ladder to his consul general's post, Mr. Wharton served at such points as Monrovia, Liberia; Las Palmas, Canary Islands; Tananarive, Madagascar; Ponta Delgada, Azores, and Lisbon, Portugal. He was born in Baltimore on May 11, 1899.

He attended Boston University, received a law degree there in 1920 and practiced law in Boston before entering Government service.

[From the Washington Post, Feb. 22, 1961]
DIPLOMATIC PRIZE

Clifton R. Wharton has won elevation to ambassadorial rank on the basis of a long and meritorious career in the Foreign Service. He has been appointed to one of the most highly prized of diplomatic posts in Western Europe. Having been a Foreign Service officer for the past 32 years, Mr. Wharton is to be promoted from his present post as Minister to Rumania to be Ambassador to Norway.

The post goes to Mr. Wharton because he deserves it, not because he happens to be a Negro. The selection affords an illustration, nevertheless, of the resourcefulness with which President Kennedy seems to be redeeming his pledge to give qualified Negroes something closer to their proportionate place in public office than they have hitherto enjoyed. We look forward to a day when the appointment of a Negro so well qualified as Mr. Wharton will have ceased to be a novelty.

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

LITHUANIAN INDEPENDENCE DAY

Mr. JAVITS. Mr. President, among those whom the Soviet Union has deprived of their liberty are the unhappy people of Lithuania. Almost 3 million are trapped behind the Iron Curtain.

The people of Lithuania enjoyed a brief reestablishment of their independence in the wake of World War I. On February 16, 1918, the Lithuanian Republic was proclaimed, and for 21 years it enjoyed relative freedom. The liberty-loving people of Lithuania, however, were caught up in the expansionist ambitions of the Soviet Union, and in 1940, shortly after the outbreak of World War II, their country was occupied by Communist forces. The Kremlin deceived no one in Lithuania with its propaganda and subversive activity designed to smother the country's freedom with Communist ideology and power.

The flame of freedom has continued to burn brightly in this oppressed land in spite of harsh restrictions, deportations, imprisonment, and other repressive measures; and the hope of independence is still strong in the hearts of the Lithuanian people.

Our ties with the people of Lithuania are not only bonds of sympathy and understanding. Many of our citizens trace their origins to this ancient land, and they have helped to keep alive the hope that in the not too distant future, freedom will once more flourish in Lithuania. I am in strong sympathy with the hopes of the people of Lithuania for independence and freedom from Communist tyranny.

MIGRATORY LABOR

Mr. JAVITS. Mr. President, last week the Senator from New Jersey [Mr. WILLIAMS], the chairman of the Senate Subcommittee on Migratory Labor, of which I am a member, outlined on the floor of the Senate some of the problems confronting our American migratory working force and inserted in the RECORD material relating to the television documentary film, "Harvest of Shame." The distinguished Senator from Florida [Mr. HOLLAND] joined in this discussion to point out some relevant matters which he felt were omitted from the "Harvest of Shame" film.

Mr. President, I commend to the attention of the Senate the discussion which took place between these two able and informed Senators. In my opinion, the vital question here is not whether "Harvest of Shame" is or is not a wholly comprehensive and objective documentary. The important thing is that a detailed and forthright discussion of a very pressing problem took place in the Senate of the United States, for it shows that we are not neglecting our obliga-

tion as legislators to scrutinize, debate on and act on behalf of every area of our economy regardless of size or locality. We are recognizing that many hundreds of thousands of migratory workers are an integral part of our Nation's working force and as such are fully entitled to our attention.

During the 86th Congress, I worked with the Senator from New Jersey [Mr. WILLIAMS] in the subcommittee on proposed legislation to protect the human and working rights of our migrant workers, principally by a crew leader bill and adult and child education bills. I anticipate expanded legislative activities in the subcommittee during this session. And I look forward to detailed hearings on the issues and currents affecting our agricultural economy and those who support it, at which all parties in interest will have full opportunity to be heard.

In this connection, I ask unanimous consent that an editorial from the New York Times of February 12, 1961, a letter to the editor of the Times appearing in the February 15 issue, and an editorial from the New York Herald Tribune of February 6, 1961, be printed in the body of the RECORD at this point.

There being no objection, the editorials and letter were ordered to be printed in the RECORD, as follows:

[From the New York Times, Feb. 12, 1961]
PROGRESS FOR MIGRANT LABOR

Things are looking up for migratory farmworkers. At least, important plans are on foot to better the migrants' lot. They should have wide public attention and support.

One proposal seeks to solve the migrant's problem by removing the reason for his migrations. Executive Director Walsh, of the President's Committee on Migratory Labor, has announced a joint pilot project, sponsored by his committee and the Florida State Migrant Committee, to help seasonal workers find permanent jobs. It will be set up at one of the chief home bases in Florida from which migrants move north in the spring. Training to operate farm machinery can fit them for more stable employment. Then, too, many new jobs are opening up through the movement of industries and the establishment of new ones.

More widely promising are the proposals which Senator HARRISON A. WILLIAMS, chairman of the Senate Migratory Labor Subcommittee, has embodied in bills prepared after 2 years of public hearings. They include Federal grants-in-aid of State and local schools for migrants' children; insured housing loans to farmers and direct loans to growers, nonprofit groups, and migrants themselves; increased health services for farm laborers and compulsory Federal registration of crew leaders. This latter would give the Government much needed authority to set and enforce standards protecting workers against exploitation by those who supply seasonal labor for harvesting. Unfortunately, however, Senator WILLIAMS has not included minimum-wage and child-labor measures. He is known to favor both, but drafting difficulties, which have been formidable, have yet to be solved.

Promising, too, is the rapport which is developing between the three top Government officials who can do more than anyone else to ease the lot of the migrants. Besides Senator WILLIAMS, these are the new Secretaries of Labor and Agriculture, Messrs. Goldberg and Freeman. Both are sympathetic to efforts in that direction, instead of working at odds as did the Secretaries in

the last administration. It will be remembered that Secretary Benson openly opposed measures to help migratory workers which were championed by Secretary Mitchell. We hope the present rapport will continue.

[From the New York Herald Tribune,
Feb. 6, 1961]

PROFITEERING IN HUMAN DISTRESS

Congress has passed reams of laws regulating interstate commerce in goods, but it still has done little to alleviate the appalling conditions which prevail in the interstate commerce in people. We refer, of course, to migrant workers, the underpaid and exploited half million who harvest the Nation's crops but who themselves get a dismally small share of the fruits of that harvest.

Their plight was dramatically brought home to millions of Americans last November, when CBS (with Edward R. Murrow narrating) presented its powerful television documentary, "Harvest of Shame." HARRISON WILLIAMS, chairman of the Senate Subcommittee on Migratory Labor, has a package of bills ready for presentation soon to the Senate. Indications are that the administration is going to press for action. It should, and the public should take on itself as a matter of conscience the job of making known its concern for the plight of these people.

Each time a housewife picks up a neat package of crisply frozen vegetables at her local market, she might well reflect on the possibility that the man (or woman, or child) who picked them went to bed hungry. Largely voiceless, mostly uneducated, dependent for their meager living on the only work they know, often cruelly exploited by unscrupulous crew leaders, the migrants have well been called the most underprivileged people in America. They are outside the protection of most laws that govern labor conditions, and all too often even outside the protection of community conscience in those areas where they work.

The migrant problem is one not only for Congress. States and localities have a job to do as well, and more fundamentally the voting and food-buying public itself—which too long has tacitly acquiesced in the exclusion of these half million from the ordinary privileges of citizenship—ought to serve notice that it wants no longer to be a party to profiteering in human distress.

[From the New York Times, Feb. 15, 1961]

PROTECTING MIGRANT LABOR

TO THE EDITOR OF THE NEW YORK TIMES:

Unfortunately, your otherwise excellent editorial of February 12 indicates that minimum wage and child labor measures will not be included in the legislative program which has evolved from the work of the Senate Subcommittee on Migratory Labor.

Actually, bills for those two purposes are included in a program to be introduced within the next 2 weeks. The bills are revised versions of similar measures introduced last year. Child labor and minimum wage were certainly key goals in 1960 and they continue to be in 1961.

Many of our legislative proposals have already attracted the interest and understanding of Secretary of Labor Goldberg. We also anticipate help and suggestions from other Cabinet members with responsibilities in this general area.

The interest of the New York Times in the effort to improve the lot of the migratory worker has been constant and encouraging. The subcommittee will need widespread support and public understanding within the next year to make the legislative breakthroughs which will resolve these critical human problems.

HARRISON A. WILLIAMS, Jr.,
Chairman, Senate Subcommittee on
Migratory Labor.

WHO GOT THE GOLD?

Mr. DWORSHAK. Mr. President, every American is vitally interested in maintaining an adequate national defense. This means not only effective military preparedness but also the preservation of a sound, constructive economic base upon which to operate our Government and our economy.

Nearly 2 years ago I made some remarks in this body in an effort to arouse interest in and to alert my colleagues to the serious situation then confronting us, which involved the rapidly dwindling supply of our gold reserves. Since then I have made several speeches concerning that same development.

Naturally I was greatly encouraged last fall when the feeble voices of the few Members of Congress reverberated into an alarm throughout the country that it was time to do something to conserve our gold reserve. There has been profound interest in my State and the Northwest concerning this very acute problem.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point a recent statement entitled "Who Got the Gold?" prepared by Mr. Frank Lilly, of Spokane, Wash., who has had a great interest in this problem. I urge my colleagues to read these remarks, because I think they will shed some enlightenment on the need for early and effective action to solve this problem.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

WHO GOT THE GOLD?—A \$9,664 MILLION QUESTION

1. The free world nations produced a total of \$8,268 million of gold from the beginning of 1950 to the 1960 year end.
2. During this same period foreign free world nations drew out of the U.S. Treasury's gold holdings a total of \$6,796 million of gold in payment on their dollar balances.
3. Thus total gold holdings of the free world nations, including the United States and international institutions, should have shown an increase of \$15,064 million (\$8,268 million plus \$6,796 million).
4. But as a matter of fact their total gold holdings increased by only \$5,400 million from \$35,400 million to \$40,800 million.
5. Who got the \$9,664 million gold difference between \$5,400 million and \$15,064 million?
6. Some of this gold, particularly the production of the Union of South Africa, could have been purchased by private individuals in Great Britain, France, West Germany, and other free world nations that permit private ownership of gold but it is not considered likely that as much as \$2 billion of this gold passed into private hands.
7. Incidentally, the United States is the only country except Cuba and Indonesia whose gold holdings are now smaller than they were at the beginning of 1950.
8. Even if the United States now had in its Treasury the \$9,664 million of gold that neither it nor the other free world nations have in their treasuries, it would not have enough gold to provide a minimum 25 percent gold reserve requirement of \$11,498 million against Federal Reserve note currency and adequate coverage on \$23,400 million foreign-owned dollars and dollar credits convertible into gold on demand.
9. West Germany, by the way, does not have as much gold as is generally assumed,

although its holdings now totaling \$2,915 million have increased from nothing at the beginning of 1950. It does, however, own dollars and dollar credits convertible into gold on demand totaling an additional \$3,082 million and the fact that there are no pressing claims against its gold or dollars gives it top liquidity with the exception of Switzerland.

10. Gold holdings of the International Monetary Fund and other international institutions increased by only \$1,094 million from the beginning of 1950 to the 1960 year end: \$1,519 million to \$2,603 million.

Where and how is the United States going to get the gold it needs to provide and maintain an intrinsically sound money as specified and defined in article I, section 8, item 5 of the U.S. Constitution?

REPLIES TO INQUIRIES BY MEMBERS OF CONGRESS

Mr. WILLIAMS of Delaware. Mr. President, I should like to appeal to the Secretary of the Department of Health, Education, and Welfare that he be a little more prompt in providing Members of Congress information in connection with some of the measures which the administration is asking the Congress to consider rather rapidly. I refer particularly to the Federal-aid-to-education bill.

Since I recognized that the administration would ask Congress to give rather prompt consideration to these various measures, on February 2 I directed a letter to the Secretary asking for a statistical breakdown in regard to Senate bill 8, already pending. Later I supplemented this request and asked for a statistical breakdown on the distribution as proposed under administration plans for Federal aid to education, both grants and loans, and asked that it be sent to my office.

I have read in many newspapers, particularly those in my own State, how much Delaware and certain other States are to receive, under the administration's proposal. However, the only material I have received in my office was simply two sheets of paper, stapled together in some hodgepodge manner, which frankly I am unable to decipher.

I respectfully suggest that the administration take time, in some public relations department, to at least answer letters in a manner which can be read.

Certainly as we cross over into the New Frontier Members of Congress will not be expected to buy 50 newspapers—1 from each State—in order to find out what the administration is recommending.

I fully respect the principle that the administration's recommendations are deserving of prompt consideration by the Congress regardless of whether or not we are in agreement with the suggestions. However, as one Member of Congress, I do not intend that these measures be permitted to be steamrolled through without the agencies first having taken the time to supply us with adequate information in order that we can properly evaluate the suggestions.

TRAFFIC SAFETY

Mr. DIRKSEN. Mr. President, over a period of time I have had a great deal of

interest in the whole question of traffic safety, and over the years I have made a number of speeches on the subject. I had a notable interest at the time I served as chairman of the District of Columbia Committee in the House of Representatives. I have a concern for many of the problems facing the District of Columbia.

Among the pressing problems in the District are traffic safety and education, and the construction and improvement of bridges, tunnels, thruways, and roads to better serve the greater metropolitan area of Washington, D.C. I know that the Congress will give serious consideration to these many problems.

I relate briefly what the city of Washington is attempting to do in traffic safety and traffic education. Sometimes I believe people take too lightly traffic education and the responsibility of each driver in fulfilling both his moral and legal obligation to drive safely, cautiously, and courteously within the traffic laws and regulations of their given jurisdiction. This is true in any city or town in the United States and not only peculiar to Washington, D.C. The Citizens' Traffic Board, appointed by the city commissioners, has its responsibilities. The Metropolitan Traffic Area Council and its Traffic Education Committee have their responsibilities and both are doing their utmost in this program.

Also, a great responsibility falls upon the citizens of the District of Columbia and the metropolitan area and the many civic, religious, citizens, service, parent-teacher, and other organizations to implement this traffic safety and education program within the sphere of their particular influence.

I notice that in the District of Columbia Traffic Safety Reporter, in the two most recent issues, there are cartoons, the explanations of which I ask unanimous consent to have printed in the RECORD at this point.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the District of Columbia Traffic Safety Reporter, January 1961]

THIS IS THE LAW: DON'T BLOCK INTERSECTION

Did you know that there are times when the green traffic light does not automatically mean go ahead? There is perhaps nothing more vexing to a motorist than to find the intersection blocked by cross traffic which has bulldozed its way ahead even though cars in front of it had come to a complete halt. Motorists who persist in squeezing into the intersection on the pretext that they have the green light even though they can clearly see that the traffic ahead has been halted, are in violation of the law. The correct procedure, when stopped autos in front of you do not permit you to clear the intersection before the light changes to red, is to stop before entering the intersection and to wait for traffic to begin moving again.

This is another in a series of abstracts from the Traffic and Motor Vehicle Regulations of the District of Columbia.

"Sec. 46(d). No driver shall enter an intersection or a marked crosswalk unless there is sufficient space on the other side of the intersection or crosswalk to accommodate the vehicle he is operating without obstructing the passage of other vehicles or pedestrians, notwithstanding any traffic control signal indication to proceed."

[From the District of Columbia Traffic Safety Reporter, February 1961]

THIS IS THE LAW: DON'T STRADDLE WHITE LINES

With his normal psychological makeup, a baby would make the worst possible driver. He would consider nothing but his own selfish interests and immediate desires.

The "babyish" adult makes a miserable driver for the same reason. He has never outgrown his babyish egotism.

On the highway, this egotistical type of person betrays himself by such practices as straddling two lanes, thus preventing other vehicles from using them both.

Besides disclosing that he has never probably grown up, the straddling of two lanes is also illegal and subject to the penalties of violating the traffic regulations.

This is another in a series of abstracts from the Traffic and Motor Vehicle Regulations of the District of Columbia.

"Sec. 32(a). A vehicle shall be driven as nearly as practicable entirely within a single lane."

Mr. DIRKSEN. Also, there is an excellent editorial entitled "Stop Blaming the Other Guy for the Traffic Situation. Do Something About It Yourself." This editorial has been reprinted in the Washington YMCA Newsletter, February 1961, as a public service so that its members may adopt such a resolution. It would be a good thing if many of the other organizations in the District of Columbia would follow suit and reproduce this editorial. I ask unanimous consent that it be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

Do you want another resolution for the new year to add to your long list of good intentions?

Here's one: Stop blaming the other guy for the traffic situation. Do something about it yourself.

We have observed a tendency on the part of some people to search for one cause for the entire traffic accident problem. Far too many people think that if they can find the one cause they will be able to locate a quick and single solution. Here's what we have heard:

Older drivers have a tendency to blame younger drivers.

Younger drivers often blame the older drivers.

Fast drivers blame the slowpokes.

Slow drivers blame the fast drivers.

Drivers of large cars blame the drivers of smaller cars.

Men drivers have always had a tendency to blame the women.

Still others claim that congestion is the basic cause for the traffic accident problem.

The best thing a private citizen can do to put a stop to the highway slaughter is to let his public officials know he is behind them in their efforts to stop accidents—and then prove it behind the wheel and in his civic actions.

Mr. DIRKSEN. Mr. President, in the Traffic Safety Reporter, January 1961, there is an excellent article of safeguarding children in cars which is most significant, and which I ask unanimous consent to have printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

SAFEGUARD CHILDREN IN CARS

How often do we think about protecting children riding in a car?

Of course, ideally, all car passengers should be protected by an approved restraining device such as seat belts.

But if you happen to be driving in a car not as yet equipped with seat belts, the following guides are suggested for protecting children from unnecessary injury:

1. Don't drive with a child on your lap.
2. Don't drive with a child standing on the seat. Either you would not feel free to brake hard, or if you did, the child might be thrown against the windshield or instrument panel.
3. Drive slowly with small children in the car. They have no way to brace themselves.
4. Lock all doors; and train the child to keep his hands off handles.
5. Keep heavy objects off the back shelf and the seat behind him.

Mr. DIRKSEN. Along the same line, I received this morning an editorial from the February 18, 1961, issue of the Daily Republican Times, Ottawa, Ill., the editorial "Matter of Discipline," which I ask unanimous consent to have printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

MATTER OF DISCIPLINE

Every now and then a traffic smashup is traced to the fact that a driver's attention strayed while he was trying to keep child passengers under control. In one recent instance of this kind, a father and six small children were killed.

Doubtless the easiest way to handle the problem of such accidents would be to prohibit an adult from driving with two or more children in the car unless another adult was along to ride herd on them. No such ban is ever likely to be written into law, however; there are good reasons for regarding such a law as undesirable.

What is needed, instead of another law, is general adult awareness of the hazards and special responsibilities that arise from having small children in a car. Discipline, exercised with loving firmness, is a better answer than more law.

Fairly simple rules apply, rules not beyond the grasp of children. "Hands off the doors" is a good one to start with. From then on, parents can easily devise their own rules: Everyone seated, no roughhousing, no hands or heads out the window, and so forth. And there is one important rule for the driver, too: When trouble arises among the young fry, stop the car before doing anything (except vocally) about it. Here, as in many other situations, a bit of forethought can go a long way toward preventing tragedy.

Mr. DIRKSEN. Another interesting editorial, which is in the February 1961 issue of the District of Columbia Traffic Safety Reporter, sets forth the views of Dr. Karl Menninger, chairman of the well-known Menninger Foundation in Topeka, Kans., an outstanding authority on many subjects who has appeared before many congressional committees giving his views. I ask unanimous consent to have it printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

The killer behind a steering wheel could be your own emotion out of control, says one of America's leading psychiatrists.

Anger, for example, can be murderous or suicidal for a motorist, according to Dr. Karl Menninger, chairman of the well-known Menninger Foundation in Topeka, Kans.

He points out that we tend to avoid responsibility for our accidents.

"Accidents, we say, are caused by fate, by hard luck, by inadvertence or ignorance or carelessness or distraction or alcohol," says Dr. Menninger. "But if a driver becomes careless, what factors in him contributed to that costly, careless moment?"

The psychiatrist offers this grim answer:

"There is a little murder and a little suicide dwelling in every man's heart. Give him such a powerful weapon as a car, inflame his inhibitions or irritations or frustrations, then add alcohol or fatigue, and the murder or suicide may get committed."

Discussing "accident proneness," which has been a widely used term, Dr. Menninger says:

"Today we would rather say that accident proneness is something that all of us have more or less, and more on one day than on another. The question is, What is your accident proneness level today?"

"It fluctuates with various factors. Resentments stemming from childhood, weariness, fatigue, a series of disappointments. And sometimes these feelings lead to an accident."

"We know that relatively few accidents are wholly accidental. The number of accidents ascribable to pure chance must be well below 15 percent."

Dr. Menninger concludes:

"No healthy-minded person ever says—'It can't happen to me.' He might meet a fool, you know. Or he might even temporarily be one."

Mr. DIRKSEN. I believe that the citizens and the various organizations in the District of Columbia and the metropolitan area can do very much to aid in traffic safety and traffic education programs, not only to save lives and prevent serious personal and vehicle damage, but also to improve the flow of traffic in and out of the city and the prevention of traffic jams. One such activity, which I think can be followed by other groups, is a pledge of traffic safety rules, which I ask unanimous consent to have printed at this point in the RECORD.

There being no objection, the pledge was ordered to be printed in the RECORD, as follows:

[Reproduced in Washington Daily News]

THE ORTHODOX CHURCHES IN CONJUNCTION WITH THE AHEPA-GAPA HELLENIC CIVIC COMMITTEE URGE EACH EASTERN ORTHODOX COMMUNICANT TO PLEDGE AND MAINTAIN THESE SAFETY RULES

The Hellenic Civic Committee is proposing to all of the 37 constituent members of the Council of Orthodox and Greek Societies affecting over 35,000 residents in the area the following traffic safety pledge:

1. Drive within the speed limit—not too fast or too slow—both are hazardous.
2. Do not take up more than one lane—to increase the flow of traffic.
3. Do not block an intersection even in the face of a green light.
4. Do not weave from one lane to another. If you must—give proper signal.
5. Do not drink while you are driving—do not drive after drinking.
6. Show courtesy to your fellow drivers and yield the road to them when they are boxed in.
7. Be alert at the stoplights, and move unhesitatingly when the light turns green. A 5- to 10-second stall at a green light ties up traffic.
8. Give full attention to driving and not to the discussion around you.
9. Keep your car in good condition with at least a half tank of gas. Civil defense also recommends this.
10. Abide by the three C's of driving—care, caution, and courtesy.

The seven Eastern Orthodox churches plus the component members of the council will strive to get each driver to make and keep the above pledge. If each civic and religious group did the same and all drivers fulfilled the pledge, then there would be less accidents and less traffic jams. Our fair city—the Nation's Capital, cannot stand such bad publicity as the traffic jam caused January 19. You cannot shrug it off as one of those things or one of those days.

Sincerely yours,

THE AHEPA-GAPA HELLENIC CIVIC COMMITTEE.

VFW GOLD MEDAL OF AMERICA AND CITATION TO GEN. LYMAN L. LEMNITZER

Mr. DIRKSEN. Mr. President, on February 7, 1961, it was my privilege, together with approximately 400 Members of Congress, to be the guest of the Veterans of Foreign Wars of the United States at the VFW annual congressional dinner.

As has been the custom in the past, the dinner was characterized by good fellowship and great dignity.

The VFW presents, on this occasion, an award to an individual who has contributed greatly to the well-being of our Nation. This year the VFW Gold Medal of Merit and Citation for outstanding service to our Nation was presented to Gen. Lyman L. Lemnitzer, Chairman of the Joint Chiefs of Staff.

The presentation to General Lemnitzer was made by Mr. Ted C. Connell, of Texas, the national commander in chief of the Veterans of Foreign Wars. The address by General Lemnitzer was timely and highly informative. I consider it to be a highly important pronouncement on national security problems. The introduction of General Lemnitzer and the presentation of the award to him by Mr. Connell reviewed General Lemnitzer's distinguished career in the service of our Nation and emphasized his reassuring and forthright stand on the validity of the Joint Chiefs of Staff system. As the Members of this Senate are well aware, the Veterans of Foreign Wars have long supported our Joint Chiefs of Staff system and opposed the outmoded and militarily inefficient single chief of staff.

Because of the importance of General Lemnitzer's fine address and because of the thoughtfulness reflected in Mr. Connell's introduction, I ask unanimous consent that the remarks be printed in the RECORD at this point.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

REMARKS BY TED C. CONNELL, OF TEXAS, COMMANDER IN CHIEF, VFW OF THE UNITED STATES, AWARDING VFW GOLD MEDAL OF MERIT AND CITATION TO GEN. LYMAN L. LEMNITZER, CHAIRMAN OF THE JOINT CHIEFS OF STAFF; VFW ANNUAL CONGRESSIONAL DINNER, SHERATON-PARK HOTEL, WASHINGTON, D.C., FEBRUARY 7, 1961

Annually at these dinners honoring Congress, it is the custom of the Veterans of Foreign Wars to recognize an individual who has contributed toward the strengthening of our Nation.

Those who have received these recognitions are those whose names constitute a rollcall of the leaders of our Nation.

Tonight it is my honor as commander in chief of the Veterans of Foreign Wars of the United States to make another such award.

The recipient of our award this evening is a man who has served his country well in war and in these postwar years of so-called peace. He is one of our Nation's most distinguished soldiers and one of our most able leaders. I refer to Gen. Lyman L. Lemnitzer, Chairman of the Joint Chiefs of Staff.

General Lemnitzer was born in Honesdale, Pa. He graduated in 1920 from West Point. He was assigned to the Coast Artillery Corps, served in the United States and in the Philippines, and was twice an instructor in physics at West Point. Prior to the war he graduated from the Army's Command and General Staff School and was a graduate of the last prewar class in 1940 from the Army War College.

His war service was one of great achievement. As G-3 for General Eisenhower's Allied Forces Headquarters he made the famous secret submarine trip to north Africa in company with Gen. Mark Clark and Adm. Arnold Wright.

Following that historic mission underwater, he proceeded by air to Gibraltar to participate in the north African landings. He made the trip as a passenger in a B-17. While en route the B-17 was attacked by German aircraft. General Lemnitzer demonstrated that his rating as a distinguished marksman was justified by manning a machinegun and shooting down an enemy plane. After taking part in the Tunisian-Sicilian campaigns, General Lemnitzer, at the conclusion of the war, held the highly responsible position of Chief of Staff to the Commander in Chief Mediterranean, Lord Alexander.

His rare ability to carry out delicate missions was again demonstrated when, working with Mr. Allen Dulles he proceeded, in civilian clothes to Switzerland where he helped negotiate the surrender of all German armed forces in northern Italy.

Since the war he has served in increasingly higher positions of trust. Yet, in spite of this succession of high administrative assignments he was determined not to remain chairborne. At the youthful age of 51 he qualified as a paratrooper and took command of the 11th Airborne Division. In Korea he commanded the 7th Infantry Division. He returned to the United States as Deputy Chief of Staff for Plans and Research. When he again returned to the Far East it was as commander of the 8th Army, and soon became Commander in Chief, Far East, and for United Nations commands. When he returned to the United States he served successfully as Vice Chief of Staff, U.S. Army, Chief of Staff, U.S. Army. On October 1, 1956, he was appointed Chairman of the Joint Chiefs of Staff.

But this long list of services to the Nation does not fully reflect the complete story of General Lemnitzer's contributions.

We in the Veterans of Foreign Wars respect and admire him for his integrity, for his humility, for his determination, and for his intellect. The calm and able manner with which he has discharged the burdensome duties as Chairman of the Joint Chiefs of Staff has given our Nation and the free world a genuine sense of confidence. We of the VFW, who have so long stood in support of our Joint Chiefs of Staff system, and in opposition to the old-fashioned single chief of staff concept with its one-man dominance of military policy, have gained a deep sense of reassurance from the fact that General Lemnitzer has spoken out so clearly and persuasively in support of our great Joint Chiefs of Staff system.

As commander in chief of the Veterans of Foreign Wars of the United States and in recognition of General Lemnitzer's inspiring leadership and his many contributions to our national security, it is my privilege to present to him at this time the Veterans of Foreign Wars' Gold Medal of Merit and Citation.

REMARKS BY GEN. LYMAN L. LEMNITZER, CHAIRMAN, JOINT CHIEFS OF STAFF, AT THE VFW ANNUAL DINNER HONORING MEMBERS OF CONGRESS, SHERATON-PARK HOTEL, WASHINGTON, D.C., TUESDAY, FEBRUARY 7, 1961

Thank you for the great honor you bestow upon me. I can assure you that this is one piece of gold that is not going to flow out of the country.

It is an inspiring sight to look about this room—to see so many distinguished Americans in all walks of life; so large a proportion of our Congress—and reflect that most of you know at firsthand the grim realities of war.

No one is so bellicose as the fellow who was never shot at. On the other hand, men who have been touched by the shadow of war will strive mightily to avoid the recurrence. When the leaders at all levels of society, in political and governmental life and in the private economy, have so uniformly known the tragedy of war, it is axiomatic that they will not be indifferent to the great problems and conflicts that plague the world.

You, who are alumni of our armed services, have always given us essential interest and support in our efforts to achieve the greatest posture of military strength. You view that strength, as do we who are in uniform, as the best guarantee that the world will not again be plunged into a holocaust.

As veterans, you are well familiar with a popular allegation that generals and admirals are always preparing to fight the wars of the future on the basis of the last previous war. I will not debate the accuracy of this thought insofar as it pertains to the past—except to point out that, so far, the United States has never lost a war. What I do want to talk about, however, is what needs to be done with regard to the future.

I need not repeat to you gentlemen any résumé of the breathtaking achievements in military applications of science and technology that have taken place with accelerating speed in the last few decades—and which seem sure to continue at an even faster pace in the future. The combination of a thermonuclear warhead with an intercontinental ballistic missile is but one vivid example. How, then, do we insure that our long-range strategic planning, our programs for research and development, and our production of developed systems, fit fully the context and the requirements of the future?

It is a hard fact of life, that the complex equipment which plays so great a role in shaping our national military strategy, is not produced in a few months, or even a few years. There is a long leadtime from concept until equipment becomes operational in the hands of our forces. The wisdom we display in selecting our objectives for the next 5 years, and the vigor and ingenuity with which we work to obtain those objectives, are going to determine our military effectiveness for a long period ahead.

Hand in hand with the factors of leadtime for equipment, are other leadtimes, which are no less limiting aspects of military readiness. I refer to the development of doctrine, tactics, and training methods, and facilities in order that we may make effective use of the equipment made available to us.

Leadtime also plays an extremely important part in the development of the most essential single element of military capability—the man on whom the effective employment of any machine, or weapon, ultimately depends.

Someone has said that the leadtime for producing a man is 21 years. But before that man can be made ready to take his place in a nuclear-powered submarine, or in the launch crew of a missile, or in any of the innumerable other complex assignments of our modern Armed Forces, still further time is required to give him the highly technical skills he needs to do his job.

I believe that the Armed Forces are not standing still in this regard. To those of you whose memories of training go back to the vast temporary camps of World War I or World War II, it may be reassuring to know that no single aspect of our military establishments has received more thought and attention than our methods of training. We have profited from some of the methods developed by industry. However, I think it is more accurate to suggest that modern industry has widely copied training methods developed by the Armed Forces, because of the complexity of modern equipment.

Even so, the factor of leadtime as applied to individuals, is complicated by some personnel problems which we have not, by any means, fully solved. The part played by career professionals in the effectiveness of the Active Forces of all our services, is becoming increasingly important. This explains why we in the services, as well as the Members of the Congress, scrutinize carefully all of the statistical data on reenlistments and on retention of junior officers. We are particularly fortunate in having the help of many highly knowledgeable, and perceptive Members of the Congress, who have devoted many years of study and thought to this problem.

The management, or programming, as it is often called, of budgetary resources; research and development; production schedules; delivery and testing; and, ultimately, training, requires foresight as well as constant scrutiny. I believe that our techniques in these areas are steadily getting better. They will never be perfect. We have perfected no clear crystal balls. The last one I looked into was pretty opaque. I have it here.

Now it is obvious that the effectiveness of our security does not depend solely on the existence of strength. There is also a requirement for a sound method for the employment of the strength we maintain. In other words, we must have a valid, well thought out strategy.

I think the basic essentials of our approach can be reduced to some classic simplicities. First and obviously, our military posture must be in consonance with and support our national objectives. Second, it must be broad, flexible and imaginative so that it can meet or encompass all potential threats which can reasonably confront us. Third, it must satisfy these first two requirements without such burden on our political and economic structure as to imperil our basic ideals and institutions.

The effort we are carrying out in support of our overall strategy has a number of elements.

We must, at all costs, develop and maintain secure strategic retaliatory forces as the best deterrent to the deliberate initiation of all out general war.

The forces I refer to include the missiles and bombers of the Strategic Air Command; the fighter-bombers of tactical Air Force units overseas; the Navy's remarkable Polaris system as well as its carrier-based aircraft; and the intermediate and short-range missiles manned by our Army and Air Forces and those of our allies overseas.

We are all encouraged by the highly successful initial test of the Minuteman and by the progress already achieved in getting greater range out of the Polaris. I believe we are getting along with this overriding problem, and I can assure you that it will continue to receive priority attention.

Closely related is the program to maintain active and passive defenses against air attack upon the United States. A key part in this program is played by the North American Air Defense Command. It combines air defense capabilities not only of all the U.S. Armed Forces, but also of Canada. Its commander is General Kuter, U.S. Air Force. His deputy is Air Marshal Slemmon, of the Royal Canadian Air Force. The air defense program, by contributing to the security of

our strategic retaliatory forces, is a vital element in their deterrent effectiveness.

Our national objectives and the strategy which flows from them require that we also maintain a posture of forward development. Forces of all our military services are stationed alongside forces of our allies in key strategic locations overseas. Our 7th and 8th Armies, our 6th and 7th Fleets, our tactical Air Forces, our Marine units afloat and ashore, provide clear evidence to our allies—and also to any potential enemies—that we are able and determined to act promptly and effectively against military aggression. As such they make a vital contribution to deterring war—limited or general—and to the strength of the collective security system.

Since it would be unsound to spread our forces thin so as to try to have some strength everywhere, we maintain and must continue to maintain strategic reserves. These are the centrally located forces of all of the military services which can be rapidly dispatched wherever needed to conduct any type of operation.

In order for these forces to be dispatched rapidly, and so that they can be promptly supplied, we need adequate amounts of modern airlift and, concurrently, sealift. Speed is the essence of effectiveness. A relatively small force, promptly applied, can achieve more than a larger force brought into action later. Without the capability to act rapidly, we would run the risk of having our allies overrun before we could take effective action.

Thus, hand in hand with the requirement to maintain strategic reserves is the collateral requirement to maintain logistic flexibility—the means to transport men, weapons, equipment, and supplies over vast distances to any point of the globe. This is an area in which the United States has traditionally excelled. We must be vigilant to make sure that we keep that margin. There have been promising developments in this area which are perhaps not as well known to you as the advances made in weapons systems. These developments have brought with them changes in our logistic technique and doctrine which promise to add substantially to the flexibility of employment of all of our forces.

Still another broad task which must be performed is the maintenance of the ability to augment our peacetime active military strength if war should break out. The requirement to expand would occur even in the case of comparatively small-scale operations. It is not restricted solely to mobilization of military forces, but includes actions to insure production of the equipment and supplies necessary to carry out the operations to win the war.

In part, this task is performed by stockpiling equipment, maintaining plans for conversion of industry to military production, and providing both active and passive protection of industrial, communications, and population centers against attack. In this connection, civil defense activities have a direct influence on our military effectiveness. This is because they can minimize the effects of enemy blows. A clearly effective civil defense, therefore, contributes to the deterrent effectiveness of our total military effort.

For the initial mobilization of military manpower, the Armed Forces look to their respective Reserve components—the Army and Air National Guard and the Army, Navy, Air Force, and Marine Corps reserves. These organizations provide trained, ready individuals and units. They provide an invaluable asset both for the rapid expansion of active forces in case of war and for any emergency or disaster occurring in the United States.

Beyond these purely military considerations, our strategy requires that the United States not be left behind in the race to unravel the mysteries which still hamper our

mastery of the environment we live in. We can do it, we must do it—we cannot afford to waste that American enthusiasm on which the progress of man so heavily depends. We welcome and we will assist the efforts of other nations in this area, for brains and vision flourish wherever man has a spark of freedom. But I submit that the United States must take on the task of leadership in this drive for greater knowledge. The expenditures we make for the vast research and development needs of our Defense Establishment will be directly reflected in the advances we make in the whole vast spectrum of useful human technology.

The opportunity which lies before us has no precedent. Beyond our shores, hundreds of millions of human beings, still chained to the ox or the buffalo, still struggling with the age-old enemies of want, of hunger, of disease, of ignorance, of tyranny and oppression, look to our example, our leadership, and our assistance.

The full realization of the heights of human well being which are in sight will depend in large part on the maintenance of peaceful conditions in the world. A posture of military strength is an essential prerequisite to such conditions. It is to that purpose that our military effort is directed. For these great goals, we in uniform need your help.

This is a job for all Americans—a task where none can be bystanders. We need an informed and interested citizenry in every community and hamlet in the United States. This is no time for preconceived notions, for emotional judgments, or half-formed opinions. All Americans owe the country the obligation to apply that enthusiasm which has made this Nation great to the accomplishment of the serious tasks which confront us, and to the harnessing of all our talent and leadership to the heavy demands of the times.

If, with renewed vigor and determination, we can marshal our national will, our American courage and energy and fortitude, we will lead the world to the highest plateau of progress and human understanding which it has ever known. In the process, the unassailable strength of freedom will remain the dominant force on this earth.

PRESIDENT'S SOCIAL SECURITY AND MEDICARE PROGRAM

Mr. DIRKSEN. Mr. President, the editorial in the Wall Street Journal on February 13 raises some very interesting and pertinent questions with respect to the possible future impact of the social security and medicare program embodied in the President's recommendations. This is an extremely timely comment and, therefore, for the benefit of the Congress and the country, I ask unanimous consent that it be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

QUESTIONS ON A MODEST PROPOSAL

When a man comes promising to do good for little children and to ease the sorrows of age, anyone who questions him is bound to sound a little like a skinflint who would take candy from babies and push his grandmother out in the cold.

If you think not so, watch what is going to happen to those in Congress bold enough to raise questions about President Kennedy's proposals to meet the "urgent needs" of the Nation's children and the "haunting fears" of old age that beset the rest of us. Against the emotional wind blown by such imagery, reason is a feeble reed.

Yet somebody had better ask the questions. It is not merely that hidden beneath

the tinsel there are a good many prickly nettles; the promise itself is not at all what it seems. For that promise is not simply that society will try to improve its way of taking care of its indigent and helpless, with which aim no man would quarrel; but rather that by this program the Government is going to improve the medical care of all the people. That promise, it seems to us, is pure deceit.

It is going to take some very probing questions even to uncover the tangible nettles tucked away in this program. Offhand, we can recall no program of such magnitude ever being submitted to Congress without a single line in the President's message as to what its cost will be, now or ultimately.

There are, to be sure, some figures given on what the Government says it is going to tax the people initially but even they are not exactly what they seem.

The President speaks of raising social security taxes by only one-quarter of 1 percent and of lifting the base of this tax to the first \$5,000 of income, a seemingly trivial price to pay for such wonderful benefits. But this quarter of 1 percent is pyramided; under present law social security taxes are already scheduled to go to 3½ percent for every wage earner in 1963; to 4 percent in 1966; to 4½ percent in 1969. This new proposal is in addition thereto.

And of course in addition to this, there will be an equal amount levied, so the law phrases it, upon the employer, the implication here being that since the employer pays it, it's a gift to the wage earner. But slice this as you will, it means that upon the paycheck of every man affected there will be a payroll tax of more than 9 percent—this 9 percent, mind you, over and above all income taxes, where the lowest rate already is 20 percent.

But if this in itself is no trivial sum, it still offers only a glimpse at the actual cost of this program. It was not without reason that this question was lightly passed over in the President's message. Nobody knows. And the way this program is proposed, nobody can possibly know—neither the President, nor Congress, nor you who are going to pay for it.

Consider: The proposal is that after an initial deduction, which must not be less than \$20, the Government will pay "all costs" for up to 90 days in the hospital "for a single spell of illness." "All costs" of nursing home facilities for 180 days. "All costs" in excess of \$20 for outpatient diagnostic services. With such an unlimited commitment it is no wonder that Government statisticians haven't yet come up with a cost figure.

Not even the administration pretends the cost will be covered by the \$1.5 billion which is supposed to be raised by the "extra" social security tax. And whatever that mysterious figure is now, it, too, is only a beginning. Already the age of the proposed beneficiaries has dropped from 68 to 65 in a bare 6 months; the period of benefits has been extended from earlier proposals; and some new benefits have been added. What would happen to the program, once started, is incalculable.

But if you want to get some idea of the upper reaches of this commitment which the Government would now undertake, you can do a little arithmetic with the President's own figures. He says there are 16 million people over 65. Half of them have medical costs of \$700 or more a year. There is a liability here of over \$5 billion, just counting the half with major medical problems.

But enough of these nettles. There is no use in even trying to grapple with the limitless cost increases that lie in future changes in the law, or what this wholesale "send the bill to the Government" program will do to future costs. No one can guess at the effect on hospitals from overcrowding when the Government pays most of the bill.

For the costs are not the only thing that tarnish the bright promises, although these are staggering sums for the whole country to pay in order to take care of the few truly needy.

The President assures one and all that this "very modest proposal" is not "socialized medicine." It is not being paid for by the general taxpayer, he says; only by employers and employees, as if the taxpayers were somebody else. And it is not, so we are told, going to touch the private medical system of the country.

Yet here is a measure for the Government to take over the responsibility of medical care for all of us in age, indigent and self-reliant alike. We would have no choice in the matter. So doing, Government takes on the responsibility to see that the money is spent as public funds; it cannot in duty pay out public funds to just any doctor or to just any hospital. Nor will it; the medical facilities for which Government pays Government funds must meet Government standards, and those standards may be medical, financial, social, or whatever the Government would make them.

To pretend that this will not alter, in a deep and fundamental way, the health and medical system of the country is specious. We have no doubt that the few and needy will get better medical care than before. But the price of providing for the needy in this way is not to be measured only in billions of dollars, however many of them there may be, but in what the great apparatus of Government will do to the medical care of all the rest of the people in a country which has achieved—without Government—the highest medical standards of any country in the world.

If this is not socialized medicine, it is nothing. And the President himself promises that this modest program for old people is not an end but a beginning—a "foundation on which to build."

Somebody had better ask questions about what it is that is being built.

PRESIDENT KENNEDY'S CAUTIOUS PROGRAM

Mr. DIRKSEN. Mr. President, I ask unanimous consent that the article "Your Money's Worth—Kennedy's Cautious Program," written by Sylvia Porter, be placed in the RECORD at this point. I believe it will be of interest to Members of Congress.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Evening Star, Feb. 21, 1961]

YOUR MONEY'S WORTH—KENNEDY'S CAUTIOUS PROGRAM

(By Sylvia Porter)

So far the Kennedy administration has done little more to combat the current business downturn than a Nixon administration would have done, and to date it actually has shown more caution on antislump moves than the Eisenhower administration showed during the last downturn in 1958.

Considering the torrent of words pouring out of the White House on the economic situation, the headlines being made about the level of unemployment, the administration's efforts to prod Congress into passing urgent legislation to extend jobless benefits and aid depressed areas, this appraisal is surprising. But read on and you'll have the facts to confirm it.

(1) Government spending programs and awards of defense contracts are being accelerated. This is a continuation of the speed-up begun during the Eisenhower administration in mid-1960—before any GOP official publicly admitted a recession was on. As Prentice-Hall emphasized, in July-November

1960, military procurement obligations jumped 21 percent above the 1959 span, and this was no accidental rise.

In the 1958 recession Government defense spending was increased much more. Prentice-Hall estimates spending on defense hard goods in the first half of 1958 at almost double the total in the preceding half.

ROAD PROGRAM SPEEDED

(2) Spending on the highway program is being speeded up too—another continuation of a move initiated under Mr. Eisenhower. In the 1958 recession this type of spending was not only accelerated but also increased by more than a quarter-billion dollars.

(3) Unemployment insurance is being extended to workers who already have exhausted State benefits and liberation of the program is being pushed. Similar moves were made in the 1958 downturn. Incidentally, the Eisenhower administration rated temporary aid to the unemployed in that recession as the step of greatest impact.

(4) The outflow of Government cash to individuals who might be in most need now is being accelerated via an order to speed up payment of dividends on veterans' life insurance and of tax refunds. Orders of the same nature were issued in 1958.

MORE DONE IN 1958

(5) Pressure is being put on home mortgage rates through reduction in the FHA's charges, some liberalization of housing credit and an organized campaign to talk down mortgage rates. Much more than this was done to stimulate housing in 1958.

(6) The Federal Reserve System has taken aggressive steps to make credit easily available and lower its cost in order to encourage increased borrowing for homebuilding, new plants, modern equipment, etc. It began moving toward easier, cheaper credit in early 1960—before even its own Governors were sure something was going wrong in the economy. It also acted aggressively to ease credit and cut interest rates in 1958.

Of course, it's not entirely black and white. A Nixon administration wouldn't have favored so broad a depressed areas bill nor, probably, the quick expansion of social security benefits proposed by President Kennedy. It's unlikely that Mr. Nixon would have urged a higher minimum wage immediately. Mr. Nixon's recommendations for "a new tax incentive for businesses to expand" undoubtedly would have been different.

But there's a provocative caution in the pace and type of antirecession action proposed to date and the resemblance between the 1958 antirecession remedies and the 1961 suggestions is, in Prentice-Hall's words, "strikingly close in the broad outlines."

I hope it implies the Kennedy administration's judgment that this recession will be neither serious nor persistent enough to justify crash programs. I think it implies just that.

SERIES OF SEVEN DUPLICATE LOCKS ON ILLINOIS WATERWAY

Mr. DIRKSEN. Mr. President, on January 17, 1961, I introduced a bill (S. 434) to authorize the construction of a series of seven duplicate locks on the Illinois Waterway. The proposal has been approved by the Board of Engineers for Rivers and Harbors and the Chief of Engineers of the Department of the Army.

The bill was also approved by the administration and the Senate last year. I found myself in difficulties because the Budget Director thought the amount of money needed would probably exceed the budget. In consequence, I had to do the entirely unselfish thing and ask that the bill not be considered, but it

was said at that time that the bill could be considered in the next fiscal year. So it is now pending.

The Illinois Waterway extends from the Mississippi River about 38 miles above St. Louis, Mo., to Chicago, a distance of approximately 326 miles. It provides the connection between the Mississippi-Ohio navigation system and the Great Lakes. The rapid and steady growth of traffic on the waterway has made it one of the most heavily used major inland waterway routes of the United States, and it is the only regularly used route connecting the Great Lakes with the Mississippi Valley system of waterways.

I submit for the RECORD, and ask unanimous consent to have printed therein, an editorial with respect to the project which appeared in the Peoria (Ill.) Journal Star under date of February 15, 1961.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

ILLINOIS RIVER—BOTTLENECK OR BOON?

Today, the Illinois River, the keystone of the Nation's water transport, is a bottleneck instead of the great boon it ought to be, and would be if twin locks were installed.

To the north is the great water system of the Great Lakes now linked to the Atlantic Ocean and coastal water transport by the St. Lawrence Seaway.

To the south is the great water system of the Mississippi River and its huge tributaries reaching east and west, linked directly to the Gulf of Mexico.

With the exception of Indianapolis, Ind., every major city in the United States from Minneapolis, Minn., to New York and San Francisco, including all of the bigger inland cities, either are located on the seacoast, on the Great Lakes, or on one of the rivers in this great network. That is no accident.

Water transport is a most vital part of our whole economy.

The one and only connecting link for water transport to pass from these great systems of the north to those of the south, east and west—or vice versa—is the Illinois River, which at the very heart of the system ties the Mississippi to the Great Lakes.

Ever since the tonnage on this river hit 20 million its lock system has been strained. There has since come the St. Lawrence Seaway and the Cal-Sag Canal, opening it to more traffic.

With the continued growth of such traffic north and south the Illinois threatens to become a bottleneck in this great system instead of a gateway from one to the other.

We need a twin-lock system on the Illinois River. The need is soon. The need has long been foreseeable and we've talked about it here for 4 years. It takes years to build such a system, and time is getting away from us right now.

We note, however, that the Kennedy-Johnson natural resources advisory committee completed its studies and submitted a report with heavy emphasis on the very things we have been saying all along.

It spells out the great importance of water transport to industrial development and economic growth, and to national defense, and it declares flatly that present capabilities are overtaxed. It adds that the total traffic will double in the next 20 years.

We hope this report will give new stimulus to the attempts being made by Illinois Senators, in particular, to get action toward realistic facilities on the Illinois River not only for the advantage to this area, but for the sake of the whole system, for the sake of the Nation's economic development and defense capability.

MADISON'S CONTRIBUTION TO RELIGIOUS FREEDOM

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

Mr. ROBERTSON. Mr. President, by a singular coincidence in the same week in which we celebrate the anniversary of the birth of the chief architect of our independence, affectionately known as "the Father of his Country," the Congress has received a proposal from the President of the United States, urging it to embark for the first time in our national history on a program of Federal aid to education. And involved in that program is one of the most unique and vital features of our Federal Constitution, namely, the separation of church and state.

President Kennedy, in recommending the appropriation of funds for public schools, has requested that parochial and other church schools at a certain level be excluded, but at the college level that they be included. That proposal will, of course, touch off a debate on the history and the meaning of the doctrine of the separation of church and state, and its application to the appropriation of public funds for church-owned and operated schools and colleges.

On many occasions, I have expressed the view that the ability and wisdom of the representatives of 13 new States who assembled in Philadelphia in the summer of 1787, to draft a plan for a more perfect Union, have never been excelled in this or any other nation. If that be true, and I challenge any colleague to deny it, the views of the Founding Fathers on the principle of separation of church and state should be a lamp unto our feet.

Students of history well know that religious intolerance did not commence with the crucifixion of Christ and the persecution of his followers. Throughout recorded history organized government has sought to enforce its will in religious as well as temporal affairs. Many of the early colonists in this country, notably those who settled in Massachusetts, came in search of religious freedom. Those who made the first permanent English settlement at Jamestown in 1607 did not come for that purpose, but they did come imbued with the spirit of political freedom; they did organize the first representative government on this continent; and they were the first to realize that there could be no complete political freedom unless the Government was prohibited from interfering with the individual's religious views.

While George Washington was not as active as Thomas Jefferson and James Madison in behalf of legislation on the subject of religious freedom, he, a deeply religious man and always loyal to the established Church of England, endorsed as strongly as Jefferson and Madison, the principle of separation of church and state. In a letter to the members of a new church in Baltimore, he wrote:

We have abundant reason to rejoice that in this land the light of truth and reason has triumphed over the power of bigotry and superstition, and that every person may

here worship God according to the dictates of his own heart. In this enlightened age and in this land of equal liberty it is our boast that a man's religious tenets will not forfeit the protection of the laws, nor deprive him of the right of attaining and holding the highest offices that are known in the United States.

Later, in an address sent to the General Committee of the United Baptist Churches in Virginia, with which my colonial ancestors were associated, and which had suffered perhaps more persecution at the hands of an intolerant government than any other denomination, General Washington wrote:

If I could have entertained the slightest apprehension, that the Constitution framed in the convention, where I had the honor to preside might possibly endanger the religious rights of any ecclesiastical society, certainly I would never have placed my signature to it; and if I could now conceive that the General Government might ever be so administered as to render the liberty of conscience insecure, I beg you will be persuaded, that no one would be more zealous than myself to establish effectual barriers against the horrors of spiritual tyranny, and every species of religious persecution. For you doubtless remember that I have often expressed my sentiments that every man, conducting himself as a good citizen, and being accountable to God alone for his religious opinions, ought to be protected in worshipping the Deity according to the dictates of his own conscience.

Again, in his justly famed Farewell Address, which was read to us this morning, Washington said:

Of all the dispositions and habits which lead to political prosperity, religion and morality are indispensable supports. In vain would that man claim the tribute of patriotism, who should labor to subvert these great pillars of human happiness, these firmest props of the duties of men and citizens.

Therefore, in discussing today the contribution made by another great Virginian to the cause of the type of freedom which we have enjoyed under a Constitution which provides for the separation of church and state, I wish to emphasize the point made by Washington that there is a difference between religion in government and government in religious affairs. I further emphasize the point that the current debate in connection with a school-aid program of the doctrine of separation of church and state, will avail us little unless it includes the realistic premise that what this day and generation needs is not more Federal aid to the individual, but a more active support by the individual of religion and morality—"great pillars," as stated by Washington, "of human happiness, these firmest props of the duties of men and citizens."

Students of Virginia history will recall the provision for religious freedom that was included in George Mason's bill of rights, and incorporated in Virginia's first constitution, and a still broader provision in a bill offered in the Virginia Legislature by Patrick Henry. It remained, however, for the chief architect of the Philadelphia Constitution, James Madison, to outline the fundamental reasons for the doctrine of separation of church and state, which was subsequently incorporated in Jefferson's statute for religious freedom in Virginia

and was written by Madison into the first amendment of the Federal Constitution. It was largely due to his efforts that Virginia was the first State in the modern world with both complete religious freedom and complete separation of church and state.

It was Madison at whose insistence the Virginia Bill of Rights of 1776 was so modified as to read:

All men are equally entitled to the free exercise of religion, according to the dictates of conscience.

Until Madison's amendment the document had provided that there be religious toleration. For this statesman, mere toleration was insufficient; he proclaimed that—

The right of every man is liberty—not toleration.

Madison's primary contribution to the dual causes of religious freedom and the separation of church and state—and that which had the greatest repercussions—was his famous "Memorial and Remonstrance" of 1784 against a proposal of the Virginia House of Delegates to provide, through assessments, for teachers of the Christian religion.

It is important to consider the circumstances which led to Madison's "Remonstrance."

The decision on a general assessment for the support of religion in Virginia had been deferred, by article VI of the 1776 Preliminary Act for Religious Freedom to the determination of a future assembly.

In the house the assessment proposals were vigorously argued by no lesser advocate than Patrick Henry. It may seem paradoxical that the man who a few years before had been proclaimed the "firebrand of the American Revolution" and who in the near future was to denounce the Federal Constitution as a return to tyranny, would fail to appraise the implications of state-sponsored financial support of the Christian religion. Henry advanced as his chief argument the close relation of religion to the prosperity of the state, calling attention to the fate of nations which had neglected religion, and inferring the need of state support. Madison fully answered this contention by stating that the true question was not—Is religion necessary?—but—Are religious establishments; that is, state-supported establishments, necessary for religion?

In spite of Madison's logic and vigor the house adopted on November 11, 1784, the following resolution designed to carry out Henry's plan:

That the people of this Commonwealth, according to their respective abilities, ought to pay a moderate tax or contribution annually, for the support of the Christian religion, or of some Christian church, denomination or communion of Christians, or of some form of Christian worship.

Nevertheless, Madison was able to postpone the third and final reading of the subsequent bill tailored to implement the resolution's intention. Only the determination and resourcefulness of Madison in his opposition and the election of Henry to Virginia's Governorship on November 17 prevented this assessment bill from becoming law in 1784.

Madison used to advantage the delay which his efforts had won. With the endorsement of Mason and Nicholas he prepared between sessions and circulated in June and July of 1785 the remarkable "Memorial and Remonstrance."

The epochmaking document, which I will quote in part, was divided into an introduction and 15 succeeding points:

To the Honorable the General Assembly of the Commonwealth of Virginia:

We, the subscribers, citizens of the said Commonwealth, having taken into serious consideration a bill printed by order of the last session of general assembly, entitled "A bill establishing a provision for teachers of the Christian religion," and conceiving that the same, if finally armed with the sanctions of a law, will be a dangerous abuse of power, are bound as faithful members of a free State to remonstrate against it, and to declare the reasons by which we are determined. We remonstrate against the said bill—

1. Because we hold it for a fundamental and undeniable truth "that religion, or the duty which we owe to our Creator, and the manner of discharging it, can be directed only by reason and conviction, not by force or violence." The religion, then, of every man must be left to the conviction and conscience of every man and it is the right of every man to exercise it as these may dictate. This right is in its nature an unalienable right.

2. Because, if religion be exempt from the authority of the society at large, still less can it be subject to that of the legislative body.

3. Because it is proper to take alarm at the first experiment on our liberties. * * * Who does not see that the same authority which can establish Christianity in exclusion of all other religions may establish, with the same ease, any particular sect of Christians in exclusion of all other sects? That the same authority which can force a citizen to contribute three pence only of his property for the support of any one establishment may force him to conform to any other establishment in all cases whatsoever?

4. Because the bill violates that equality which ought to be the basis of every law, and which is more indispensable in proportion as the validity or expediency of any law is more liable to be impeached. If all men are by nature equally free and independent, all men are to be considered as entering into society on equal conditions; as relinquishing no more, and therefore retaining no less, one than another, of their natural rights. Above all, are they to be considered as retaining an equal title to the free exercise of religion according to the dictates of conscience.

5. Because the bill implies either that the civil magistrate is a competent judge of religious truths or that he may employ religion as an engine of civil policy. The first is an arrogant pretension, falsified by the contradictory opinions of rulers in all ages and throughout the world; the second, an unhallowed perversion of the means of salvation.

6. Because the establishment proposed by the bill is not requisite for the support of the Christian religion. To say that it is, is a contradiction to the Christian religion itself, for every page of it disavows a dependence on the powers of this world.

7. Because experience witnesseth that ecclesiastical establishments, instead of maintaining the purity and efficacy of religion, have had a contrary operation. During almost 15 centuries has the legal establishment of Christianity been on trial. What have been its fruits? More or less, in all places, pride and indolence in the clergy; ignorance and servility in the laity; in both, superstition, bigotry, and persecution. En-

quire of the teachers of Christianity for the ages in which it appeared in its greatest lustre; those of every sect, point to the ages prior to its incorporation with civil policy.

8. Because the establishment in question is not necessary for the support of civil government. If it be urged as necessary for the support of civil government only as it is a means of supporting religion, and it be not necessary for the latter purpose, it cannot be necessary for the former. If religion be not within the cognizance of civil government, how can its legal establishment be necessary to civil government? * * * Rulers who wished to subvert the public liberty, may have found an established clergy convenient auxiliaries. A just government, instituted to secure and perpetuate it, needs them not. Such a government will be best supported by protecting every citizen in the enjoyment of his religion with the same equal hand which protects his person and his property by neither invading the equal rights of any sect, nor suffering any sect to invade those of another.

9. Because the proposed establishment is a departure from that generous policy which offering an asylum to the persecuted and oppressed of every nation and religion, promised a lustre to our country, and an accession to the number of its citizens. What a melancholy mark is the bill of sudden degeneracy? Instead of holding forth an asylum to the persecuted, it is itself a signal of persecution. It degrades from the equal rank of citizens all those whose opinions in religion do not bend to those of the legislative authority.

10. Because it will have a like tendency to banish our citizens. The allurements presented by other situations are every day thinning their number. To superadd a fresh motive to emigration by revoking the liberty which they now enjoy would be the same species of folly which has dishonored and depopulated flourishing kingdoms.

11. Because it will destroy that moderation and harmony which the forbearance of our laws to intermeddle with religion has produced among its several sects. Torrents of blood have been spilt in the Old World in consequence of vain attempts of the secular arm to extinguish religious discord by proscribing all differences in religious opinion.

12. Because policy of the bill is adverse to the diffusion of the light of Christianity. * * * Instead of leveling, as far as possible, every obstacle to the victorious progress of truth, the bill, with an ignoble and unchristian timidity, would circumscribe it with a wall of defense against the encroachments of error.

13. Because attempts to enforce by legal sanctions, acts obnoxious to so great a proportion of citizens tend to enervate the laws in general, and to slacken the bands of society.

14. Because a measure of such singular magnitude and delicacy ought not to be imposed without the clearest evidence that it is called for by a majority of citizens and no satisfactory method is yet proposed by which the voice of the majority in this case may be determined, or its influence secured.

15. Because, finally, the equal right of every citizen to the free exercise of his religion, according to the dictates of conscience, is held by the same tenure with all our other rights. If we recur to its origin, it is equally the gift of nature; if we weigh its importance, it cannot be less dear to us; if we consult the declaration of those rights which pertain to the good people of Virginia as the basis and foundation of government, it is enumerated with equal solemnity, or rather with studied emphasis.

We, the subscribers, say that the General Assembly of this Commonwealth have no such authority. And in order that no effort may be omitted on our part against so dangerous an usurpation, we oppose to it this

remonstrance earnestly praying, as we are in duty bound, that the Supreme Lawgiver of the Universe, by illuminating those to whom it is addressed, may, on the one hand, turn their councils from every act which would affront His holy prerogative or violate the trust committed to them; and, on the other, guide them into every measure which may be worthy of His blessing, redound to their own praise, and establish more firmly the liberties, the prosperity, and the happiness of the Commonwealth.

The influence of this document was widespread not only in Virginia but throughout the other Colonies.

A letter of Madison's describes the profound local effect. He writes that the "remonstrance" met with "the approbation of the Baptists, the Presbyterians, the Quakers, and a few Roman Catholics, universally; of the Methodists in part; and even not a few of the sect; that is, the Anglicans—his own religion incidentally, formerly established by law." The Presbyterians adopted a strong memorial against the assessment bill specifically referring to the fact that it would be unfair to the Jews, as it provided for only one religion, Christianity. The general association of Virginia Baptists was even more extreme in its denunciation of Henry's proposals.

It can be said without exaggeration that Madison's Remonstrance so stimulated the Virginia electorate that not only did the assembly reject the assessment bill in the session of 1785 but it moved to adopt by a margin of 67 to 20 the bill establishing religious freedom, which had been prepared by Thomas Jefferson and introduced into the Virginia Assembly as early as June 13, 1779.

The ferment overflowed Virginia's boundaries and helped stifle attempts in other Colonies to siphon public funds into the regular support of the churches.

Madison overlooked few opportunities to advance the principles of his Remonstrance.

His first amendment to the Constitution reads in part:

Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof.

Madison wished to go further and proposed an amendment which would protect the principles of religious freedom and separation of church and state not only from Federal encroachment but also from state intervention. That failed to win acceptance, but it illustrates the extraordinary vision of this statesman. His proposal had anticipated by 134 years the Supreme Court's application of the 14th amendment in Meyer against Nebraska (1923) to freedom of religion.

The religious minorities had no greater friend than James Madison. In his youth he heard with deep compassion the sermon of a Baptist minister from the only pulpit legally available to him—the window of a jail.

In his old age, after retirement from the Presidency, he received a letter containing the following tribute from a member of the Jewish faith in New York:

I ought not to conceal from you that it affords me sincere pleasure to have an opportunity of saying that to your efforts and those of your illustrious colleagues in the convention the Jews in the United States

owe many of the blessings which they now enjoy, and the benefit of this liberal and just example has been felt very generally abroad and has created a sincere attachment toward this country on the part of foreign Jews.

Madison's influence on our Nation's progress toward freedom of religion and its corollary, separation of church and state, was both extensive and enlightened. He is unexcelled among our forefathers for logical and consistent development of the constitutional ideal of religious freedom.

In conclusion, I wish to quote again from the immortal George Washington, who, in his first inaugural address, said:

It would be peculiarly improper to omit in this first official act my fervent supplications to that Almighty Being who rules over the universe, who presides in the councils of nations, and whose providential aids can supply every human defect, that His benediction may consecrate to the liberties and happiness of the people of the United States a Government instituted by themselves for these essential purposes, and may enable every instrument employed in its administration to execute with success the functions allotted to his charge.

The debate of the issue of Federal aid to church schools can be a vital and dynamic contribution to the President's New Frontier program, if it challenges the willingness of our people to prove by their personal conduct that the motto on our coins, "In God We Trust," is something more than a political shibboleth.

Mr. STENNIS. Mr. President, will the Senator from Virginia yield?

Mr. ROBERTSON. I yield.

Mr. STENNIS. Speaking not only for myself, but also, I feel certain, for the entire Senate, I wish to thank the distinguished Senator from Virginia for the wonderful speech he has made on the fundamental principle of the separation of church and state. The Senator delved deeply into the rich history of his own State, quoting the trailblazers and frontiersmen of that day on this subject, as well as on others.

Furthermore, the Senator from Virginia has not only personified the principles he has discussed, but has himself supported and served both church and state during the years of his life, and certainly the years of his public career are especially included.

He is very timely in bringing this message to the Senate today, pointing out with his usual great clarity and his vision of the future, as well, the cardinal principles which he has set before us. I thank him, and say that I believe he has opened a debate which will provoke great interest and bring good, too, to the people of our country. I am delighted, indeed, that he was the spokesman on this point in opening the debate.

Mr. ROBERTSON. The junior Senator from Virginia appreciates the fine tribute paid by the distinguished Senator from Mississippi. I have simply touched today on the subject of Federal contributions, first, to parochial schools, which the President said would be excluded, and then the broader application to all church schools. I have quoted from those who framed our laws on this subject and said there should be no distinction in using tax money to support

church institutions at any level, whether it be a primary school, a preparatory school, or a college. That is only one phase which is involved in the program of public aid to education.

When we get further into the subject, the junior Senator from Virginia will have much to say about the undesirability of any feature of Federal aid to education. But today, in keeping with the views of George Washington on the subject of separation of church and state, as amplified by the statements of Thomas Jefferson and James Madison, the Senator from Virginia thought it might not be inadvisable to bring to the attention of the Senate and the Nation the light given by the greatest group of statesmen ever to assemble, and who, in the words of a great English statesman, gave us the greatest instrument ever struck off by the hand and purpose of man. George Washington said it was a unique instrument without the first amendment; but to make the point clear, Madison wrote into the first amendment the unique and vital principle of separation of church and state, without which there can be no complete political freedom of the individual.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. ROBERTSON. I yield.

Mr. LAUSCHE. What differentiation does the Senator from Virginia make between the constitutional right of the Federal Government to make contributions, on the one hand, to elementary institutions of learning and, on the other hand, to higher institutions of learning?

Mr. ROBERTSON. The Senator from Virginia can find no constitutional limitation which holds that if a church school simply teaches certain subjects—they would be elementary subjects—Federal funds could be contributed to such a school, but that in institutions of higher learning such a constitutional restriction does not apply. I argue that there can be no proper distinction, under the Constitution, between church schools at any level, if we are to keep ourselves attuned to the principle of separation of church and state.

As I said a moment ago to the distinguished Senator from Mississippi [Mr. STENNIS], when the Senate takes up the school bill, I shall quote from a statement made by a distinguished predecessor of the present distinguished Senator from Ohio, Senator Robert A. Taft, who said on the floor of the Senate, about 12 years ago, that if the Federal Government ever embarked upon paying the salaries of teachers, the cost would soon pyramid to \$3 billion a year. That is a very conservative estimate. It is very conservative, because once we start paying teachers' salaries which throughout our country's history has been a primary obligation of the States and the political subdivisions, the States will unload on the Federal Government as fast as possible the burden of paying the entire amount. The States will put every pressure possible upon every candidate for office to take that burden off the States and to put it on the Federal Government.

Last, but not least, we know how true it is that the long arm of the Federal

Government will follow in the control of Federal dollars. We cannot help having Federal control once a Federal program is begun.

I thank the Senator from Ohio.

Mr. LAUSCHE. Mr. President, will the Senator from Virginia further yield?

Mr. ROBERTSON. I yield.

Mr. LAUSCHE. Under date of February 20, 1961, a letter was written to me by the superintendent of schools of Ashland, Ohio. Ashland is a small community about 60 miles southwest of Cleveland. Enclosed in the letter was a resolution adopted by the Ashland Board of Education. It reads as follows:

ASHLAND CITY SCHOOLS, ASHLAND, OHIO
STATEMENT IN REGARD TO FEDERAL SUPPORT OF
EDUCATION, FEBRUARY 1961

We, the Ashland City Board of Education, desire for the youth of this community the best educational opportunities the community can reasonably make available. We want teachers who are competent, enthusiastic, and dedicated. We want good teaching facilities, adequate room, and meaningful, modern equipment. We believe we represent the thinking of the community as we express our convictions.

We believe our local community with the aid of the State foundation program can and should provide the funds necessary to maintain our educational program. We, therefore, oppose the extension of Federal aid in any form locally.

We believe that Federal aid to education is expensive because it involves the channeling of tax money from a community by way of the Federal Government back into the local community. We believe that Federal grants carry the potential of some Federal supervision of education. Whether the funds are designated for buildings, equipment, or salaries, by accepting them we are inviting the Federal Government to help determine our school policies.

We believe the Federal Government may well serve the cause of education by subsidizing research in educational methods and techniques. They may well serve any disaster or impoverished area as a temporary measure in helping to bring the schools there up to minimum standards. Additional aid should be provided by the State rather than the Federal Government.

We believe the cost of the educational services in our schools which are now financed by the Federal Government should gradually be assumed by the local community. We believe the community can and should continue to make possible whatever educational advantages seem desirable for our children.

We believe that surpluses of foods and of mechanical equipment can be accepted without concern for Government intervention.

I should like to have the Senator's comment.

Mr. ROBERTSON. I endorse all of those reasons for opposition; and at an appropriate time I shall add some new ones.

I shall say now that the most practical way for Congress to help public education would be to reduce public spending and cut taxes, so that the localities would have more of their own money left at home, to spend as they see fit for the improvement of their own schools.

EXECUTIVE ORDER ABOLISHING THE OPERATIONS COORDINATING BOARD

Mr. MANSFIELD. Mr. President, I wish to call to the attention of the Senate

an article which appeared in the New York Times of February 20. It refers to an Executive order, issued by the President, which abolishes the Operations Coordinating Board. This Board, the Senate will recall, was composed of representatives of the State Department, of the CIA, of the ICA, and other Government officials. It was set up in 1957, and it was charged with coordinating and carrying out certain activities in the field of foreign relations and national security.

In issuing the order, President Kennedy made clear that he intends to do his own coordinating in these matters, and that the Secretary of State alone will assume many of the responsibilities heretofore vaguely entrusted to the Board.

This is a most commendable step in the direction of more effective and streamlined management of the Nation's foreign affairs, because it removes some of the blocks to decisive action, and reposes in the Secretary of State not only the responsibility, but also the authority that should go with it. The decision is in line with the recommendations of the special subcommittee, headed by the distinguished Senator from Washington [Mr. JACKSON], which for some time has been looking into this problem; and it strikes at the problem of "too many cooks" in foreign policy—a situation with which some of us have been trying to cope for a long time. Again I commend the President for this action, and also the chairman and members of the National Policy Machinery Subcommittee whose recommendations were its precursor. I ask unanimous consent, Mr. President, to have the article previously noted printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the New York Times, Feb. 20, 1961]

PRESIDENT ENDS TOP POLICY BODY—HE INCREASES WHITE HOUSE CONTROL OF SECURITY AND FOREIGN OPERATIONS

WASHINGTON, February 19.—President Kennedy moved today to strengthen White House control over national security and foreign policy actions, and assure that Federal agencies adhere to "the policy of the White House in those fields."

He issued an Executive order abolishing the Operations Coordinating Board set up by President Eisenhower in 1957 to coordinate Government activities dealing with national security and such problems as improving the image of the United States abroad.

Instead of using the Board "as an instrument for insuring action at the President's direction," Mr. Kennedy said, he intends to maintain "direct communications with the responsible agencies so that everyone will know what I have decided."

Much of the responsibility for the Board's work will be centered in the Secretary of State. As for our image abroad, the President said, this will be the State Department, the U.S. Information Agency, and all others "concerned by the spirit and meaning of our actions in foreign policy."

Mr. Kennedy said the order abolishing the Board is part of his program for strengthening the responsibility of individual Government departments and maintaining close White House liaison with them.

POLE FOR EXECUTIVE AID

"We, of course, expect that the policy of the White House will be the policy of the executive branch as a whole," he said in a statement. "And we will take such steps that are needed to insure these results."

He said he expected senior officials who had served as members of the Board to keep close, informal touch with each other on problems of common interest.

Among the members of the Board, an adjunct of the National Security Council, were the head of the Central Intelligence Agency, the Director of the International Cooperation Administration, the Under Secretary of State for Political Affairs, and Presidential aids.

Bromley Smith, executive officer of the Board in the Eisenhower administration, will continue to work with McGeorge Bundy, Mr. Kennedy's special assistant, "in following up on White House decisions in the area of national security," the President said.

"In these varied ways, we intend that the net result shall be a strengthening of the process by which our policies are effectively coordinated and carried out throughout the executive branch," he explained.

The order, dated yesterday, was made public today.

The Secretary of State, in taking responsibility for much of the Board's work, will rely particularly on the Assistant Secretaries in charge of regional bureaus, while they, in turn, will consult with other departments and agencies, Mr. Kennedy said.

NEED FOR PERMANENT UNITED NATIONS FORCE

Mr. KEATING obtained the floor.

Mr. MANSFIELD. Mr. President, if the Senator from New York will yield to me, provided it is understood that in doing so he will not lose his right to the floor, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. LONG of Missouri in the chair). Does the Senator from New York yield for that purpose?

Mr. KEATING. Yes, Mr. President.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. KEATING. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KEATING. Mr. President, in the wee hours of yesterday morning, the Security Council authorized—for the first time in its history—the United Nations to prevent civil war, and to use force, if necessary. It seems to me, Mr. President, that such action by the Security Council is of great importance in connection with the resolution which calls for the establishment of a permanent United Nations police force. That resolution was submitted today by the Senator from New Jersey [Mr. CASE], and I am a cosponsor of the resolution. It is similar to one which we jointly sponsored in the last session; and at that time it was widely commented on as an important and a useful measure.

Today, in my judgment, the resolution will serve an even more important role, in affirming the support of the Congress for further strengthening of the United Nations. It can serve as a vital proof of the trust which the United States puts in the United Nations and

the need which the United States feels for a stronger, more stable United Nations force.

Mr. President, all of us are aware of the crucial nature of the Congo problem that the United Nations is facing today. The unhappy death of former Premier Lumumba has driven the Congo from mere disorder to chaos, from political instability to near civil war. All of us are equally well aware of the role the Soviet Union is playing in fomenting civil war in the Congo—with the aim, no doubt, of sending military supplies secretly to its own supporters, through the United Arab Republic and other pro-Communist nations. We know, furthermore, what the consensus of United Nations opinion is, as shown by the Security Council vote, early Tuesday morning, which authorized United Nations troops to use force, if necessary, to prevent civil war. The Soviet Union would undoubtedly have vetoed that move, had it not feared widespread disapproval from many of the African natives, themselves.

Last week, President Kennedy took the first step to block the calculating and ruthless policy of the Soviet Union. He rightly pointed out that the United States would not condone unilateral action in the Congo, whether by the Russians or by the United Arab Republic. Quite properly, also, our Ambassador to the United Nations immediately affirmed his support of United Nations Secretary General Hammarskjöld. Those were the first steps toward stabilizing a situation that the Communists were doing everything in their power to destabilize.

The second step came from the place where it did the most good—from the United Nations Conciliation Commission for the Congo. The 11-nation Commission of African and Asian nations, headed by a Nigerian, agreed that the legitimate government of the Congo was that of President Kasavubu and Premier Ileo. Furthermore, in a report to the Secretary General, the Commission suggested the need for a federal-type government in which different elements in the Congo would be represented. Finally, it recommended an army council, composed of several high ranking United Nations officials, to reorganize the national forces and take them out of politics.

The third—and, to date, the most important—step in stabilizing the Congo situation came—as I have stated—in the small hours of Tuesday morning, when—for the first time in United Nations history—the Security Council authorized the United Nations to prevent civil war, and to use force, if necessary. In order to fulfill this need, Secretary General Hammarskjöld yesterday called for reinforcements for the United Nations force in the Congo.

But this is not the end, Mr. President. There are further steps that can and indeed must be made if the independence and stability of the Congo are to be assured. The dangers are still immense which face the new nation. The Soviet Union and 13 satellites and fellow traveling nations have recognized the wholly illegal regime of Antoine Guizenga. And I must say this is more than the rest of Lumumba's followers have done. In

spite of the Soviet abstention on Tuesday's vote, their efforts to disrupt any settlement will be long lived and desperate. It will need the full force of the United Nations to block these maneuvers.

What is most urgent now is to set up the United Nations force in the Congo so that it can effectively fulfill its new and expanded responsibility. It should be on a permanent and nonpolitical basis. In the past Secretary General Hammarskjöld believed that there was no need for a permanent U.N. force, that forces should be gathered as needed—as we sometimes say, ad hoc—depending on the particular crisis that required attention. I think the whole course of the Congo situation has revealed that that policy is not sufficient at present. In the African Continent it has merely encouraged rivalry and competition between other nations seeking to gain a more important role for themselves in the affairs of their neighbors. All African nations, of course, are not guilty of this, but some, by deliberately withdrawing their troops from the United Nations force at critical moments or offering tacit assistance to one or another of the Congo factions, have certainly aggravated the problems of the United Nations. Hammarskjöld tacitly recognized this difficulty in his appeal late yesterday for additional troops.

What is needed, in helping to reorganize the Congolese Army and bring peace to the country, is a permanent United Nations force of some 50,000 to 60,000 men. These men should be fully in the employ of the United Nations and not subject to recall by their own countries, like civil servants at U.N. headquarters.

They should come not from African or Asian nations alone, but from all continents. No one nation should have a predominance that could be politically or militarily exploited. It would, however, be wise to exclude any volunteers from major powers. The force would have to be completely removed from politics and obedient to the orders of the commanding U.N. officials.

Furthermore, such a force should be an integral part of the United Nations. The cost of maintaining it should be an integral part of the United Nations budget so that no nation would be able to withhold the necessary funds for keeping up the force without running the risk of losing its U.N. vote, as provided in the Charter. The establishment of a U.N. police force along these lines would put real teeth into the resolution passed by the Security Council. For the first time, it would give the U.N. a bite as well as a bark.

If such a force were created, it would be possible for a federal government to be set up in the Congo, which would not have to rely on native troops, wildly partisan and easily excited. A permanent and stable U.N. force could keep order fairly well, while the political leaders settled down to the absolutely indispensable, but to date quite forgotten, task of restoring economic order, and viability to the Congo. Such U.N. force would have the confidence of the legitimate government, and remove itself effectively from politics. Already it is clear that the pro tem force rapidly

offered, and equally rapidly withdrawn by neighboring African nations, can never win the confidence from the Congolese people and their legitimate leaders.

Mr. President, I want to make it clear that I am not criticizing U.N. Secretary General Hammarskjöld by supporting this resolution, which he has in the past opposed, and which, so far as I know, he may still oppose. This is an appeal to reason, and it is my hope that the situation, as it has developed in the Congo, will cause him to reconsider his views, and to withdraw his opposition to a resolution of this character. On the contrary, I am urging that this initiative be followed up by the executive branch of the Government, in order to strengthen the United Nations, in order to put additional power and authority in Mr. Hammarskjöld's hands, and in order to make possible at last a peaceful and stable solution of the Congo problem.

If there is one lesson to be learned from the whole Congo problem, it is the dangers involved when the armies of the mediating force become—or even raise the slightest suspicion of becoming—politically motivated themselves. For the Congo, and for similar situations which may arise in the future, the United Nations needs a permanent, nonpolitical force that will be loyal to the United Nations above all.

For that reason I submit that this resolution deserves the immediate attention of the appropriate committee, of the Congress and of the executive branch of the Government.

Mr. JAVITS. Mr. President, will the Senator yield on this subject?

Mr. KEATING. I yield.

Mr. JAVITS. I had the honor of joining the Senator from New Jersey [Mr. CASE] and my colleague from New York [Mr. KEATING] in the resolution to establish a permanent police force for the United Nations. I had no opportunity of saying anything at the time the Senator from New Jersey [Mr. CASE] submitted the resolution this morning, but I feel honored to join in it. First, I should like to express my appreciation to the Senator from New Jersey and my colleague from New York for taking the position they have as one being of enormous service to our country and the United Nations; and I am honored to join them in it.

Second, I wish to point out that what is sought to be done by the resolution is to establish a force that will sustain a rule of law; that if we are ultimately to get anywhere with respect to peace in the world, somehow or other, we need a rule of law to replace the rule of force. But a rule of law needs a police force, and a police force under the adjudicating body, which would be the United Nations.

Many of us feel that in cases like Algeria, and other areas where there have been grave dangers to the peace of the world, an effective trusteeship machinery within the United Nations could help people to work out their difficulties in a deliberate way. This kind of trusteeship requires the availability of a force in that particular trust territory, and the United Nations is without such means at the present time.

I very much appreciate the individual judgment of my colleague on Mr. Hammarskjöld's views, and I feel that the latter should have learned something from what has happened in the Congo and what is happening that is endangering the United Nations. I hope very much that Congress will act on the proposal which has been initiated by my colleague and by the Senator from New Jersey, who submitted the resolution, and that it will result in an effective contribution toward the establishment of a rule of law in the world.

I thank the Senator for yielding to me.

Mr. KEATING. I thank my colleague from New York. We are certainly delighted to have the force of his influence brought to bear on this resolution, and I am grateful to him for his remarks.

I now wish to refer briefly to another subject.

RESIDENCY REQUIREMENTS FOR VOTING

Mr. KEATING. Mr. President, on Inauguration Day I spoke briefly on the Senate floor urging that action be taken to implement a number of needed electoral reforms. Foremost on my list is the problem of the "politically dispossessed" who cannot vote because they do not meet various State, district, and local residency requirements.

I can understand the proposition which says that persons newly arrived in an area probably will not be able to make intelligent decisions affecting what are intrinsically State and local issues. This is all well and good. As far as State and local issues and State and local elections are concerned, the Congress does not have a direct role to play and the qualifications for voters can and should be left up to the State.

What worries me is that residency requirements also prevent many qualified American citizens from voting for the President and Vice President. I believe that as long as a man is a citizen, he should be allowed to vote for the President and Vice President—whether he has lived in Shreveport, La., or Buffalo, N.Y., in the year or 2 years previous to an election. It is blatantly unjust to disenfranchise duly qualified American citizens in a national election simply because they cannot meet State and local requirements.

Few people realize just how many voters are in this unfortunate category.

I have no doubt most of the Members of this body recognize the problem. Most Members of Congress do, because all, around election time, must have been deluged with mail from their constituents who were not able to vote for this reason. In general in this country people do not realize the problem.

Estimates of the number of Americans who are "politically dispossessed" because they do not meet the necessary residency requirements range from 5 million, or about 5 percent of the eligible voters, to 8 million or more. This is no mere drop in the bucket. In a close election, the margin of victory is much less than 5 million votes. We had an illustration of that in 1960.

In our urban, mass society of today, frequent movement from one area to another is a way of life for many Americans. Often those who move seek new and better opportunities to contribute to our economy and to advance our economic growth and way of life. There is no reason in the world why they should be penalized for moving or why we should assume that they are ill-informed or irresponsible Americans not deserving of the right to vote.

The basic question arises: What can the Congress do to remove or at least mitigate the effect of these requirements? The answer is by no means easy.

It is clear under the Constitution that the Congress does not have an obvious or inherent authority to legislate in this area. But then, who does? Surely, the question of who votes in a presidential and vice-presidential election is more than a State and local issue. In truth, the outcome of our national elections affects the fate of our Nation and of the entire free world. I feel strongly that it is desirable for the Congress to study and to call attention to the plight of the "politically dispossessed" and to the need to remedy their plight.

I am not personally in favor of contriving some sort of a legislative remedy, at least not yet. There have been a number of attempts, none really successful, to deal with this matter by some kind of a "sense" resolution of the Congress. This method has proven to be both ineffective and too difficult.

I have no objection to an effort in that direction, but it does not do the job.

The American Heritage Foundation, which has done a great deal of excellent work in this area, proposes the following under the heading "How You Can Help."

If you would like to help restore voting rights to your disfranchised fellow citizens, you can do two things: First, enlist the wholehearted support of your local newspaper editors, radio-TV commentators, civic organizations, business and labor groups, chambers of commerce, and public opinion leaders. Secondly, ask your Governor and State legislators, county and State political leaders of both parties to reexamine your State election laws to see whether they meet the needs of 20th century America.

Remember, States guard their sovereignty zealously. The U.S. Constitution makes each State responsible for establishing voting requirements. So don't pressure legislators.

Parenthetically I say that is a very fine piece of advice.

Simply point out the problem of the disfranchised voter and invite State officials to take a fresh look at the local election laws to ascertain what can be done to bring them up to date.

I commend the foundation. Theirs is a clarion call for action. The conclusion is obvious and clear cut. Private citizens in American communities across the Nation must be the moving force in correcting this serious inequity. This is an exciting challenge. It is likewise a heavy responsibility, affecting the very basis of American democracy.

Mr. President, New York State has not stood still on this issue. Governor Rockefeller recently requested State ac-

tion to permit all individuals, regardless of how long they had been in the State, to vote for the President and Vice President of the United States.

I read part of his message to the State legislature:

I strongly urge adoption of a constitutional amendment which would allow the legislature to prescribe reduced residence requirements and special voting procedures to permit persons to vote for President and Vice President even though they are not eligible to vote for local or statewide officers.

As the New York Herald Tribune editorialized, "The fact that a person moves from Brooklyn to Kalamazoo, or vice versa, in no way diminishes his stake in the Presidency."

I commend the Governor and I could not agree with him more. I hope that other States will follow suit. I believe several States have already expressed views similar to those of Governor Rockefeller.

Mr. President, I also hope that some of the material which I intend to introduce for the RECORD today will be of use to these States and generally to scholars in this area and to interested citizens throughout the Nation.

Several months ago I requested the Library of Congress to prepare a report for me on the impact of residency requirements, the history of their use, and the possible avenues for reform. In my remarks on Inauguration Day, I referred to this report and stated I thought it was an extremely competent job and that it should be called to the attention of the Members of the Senate. The report was prepared for me by Mr. Walter Kravitz of the History and Government Division of the Library of Congress.

Mr. President, I ask unanimous consent to have printed in the RECORD the above-referred-to Herald Tribune article

and the study by Mr. Kravitz of the Legislative Reference Service. I have gone through Mr. Kravitz' study several times in an effort to cut it down as much as possible in length.

It was considerably longer in its original form than as I shall have it printed in the RECORD at this time. I apologize to many of the experts and authors in the field whose footnotes have been stricken from my insertion, which is done only for the purpose of saving space. I hope that I have done justice to this very excellent and competent report in my editing of this text.

There being no objection, the article and report were ordered to be printed in the RECORD, as follows:

TIME FOR ACTION ON VOTE REQUIREMENTS

It may seem an odd time of year to get back to our old friends, the politically dispossessed who can't vote because they moved too recently. But if anything is to be done about their plight it has to be done by the legislatures, and now is the time when lawmakers ought to be thinking about it.

In his message to the New York Legislature, Governor Rockefeller urged action to make it possible for people who move to vote for President and Vice President. This certainly makes sense, and is fine as far as it goes. The fact that a person moves from Brooklyn to Kalamazoo, or vice versa, in no way diminishes his stake in the Presidency. But an estimated 8 million Americans were unable to vote last November because they had moved, and were caught in a web of antiquated State residence requirements.

While they're about it, the legislators ought to take another look at the whole concept of residence requirements for voting. The simplest way of ensuring against loss of the presidential vote is to drop residence requirements entirely except for a nominal time in the district—long enough to establish identity and eligibility.

Mobility has become almost a way of life in America today, and those who move most tend often to be the most articulate and

politically sophisticated. The newcomer to a community who is really ignorant of local issues is not likely to rush to the polls to vote for candidates he has never heard of. But his right to an exercise of judgment—which includes the right to abstain—ought to be recognized as a concomitant of the fact that our society itself today encourages mobility, while our information media have markedly reduced the time it takes a newcomer to acquaint himself with local conditions. Chances are a person who votes ignorantly after 1 month's residence is going to vote just as ignorantly after 6 months, or 12.

RESIDENCE REQUIREMENTS FOR VOTING CURRENT REQUIREMENTS

The Constitution of the United States indirectly delivers into the hands of the States responsibility for setting voters' qualifications in Federal elections. Consequently, the Nation appears to have ridden off in almost as many directions as there are States.

As of the 1960 general election, some 40 different combinations of State, county, precinct, and city residence durations were in use by the 50 States. State residence requirements range from 6 months to 2 years, with some States waiving all or part of the requirement in voting for President and Vice President. County residence requirements vary from none at all to 1 year, and the qualifications for smaller political units cover the same range. The most popular requirements are: in State, 1 year; in county, 3 months; in locality, 30 days. In fact, six States actually have all these provisions.

Table I lists the detailed requirements for each State. Table II gives the number of States using each time period for each of its jurisdictions.

Aside from the multiplicity of provisions, the tables clearly indicate that, as a group, the Southern States set the most stringent provisions for all jurisdictional sizes. It is difficult to say which of the other three regions is the least severe in its demands.

Idaho, the State with the highest percentage of potential voters voting in the 1956 general election, has one of the most moderate residence requirement laws in the country—6 months State, 30 days county.

TABLE I.—Residence requirements

State	Requirements				State	Requirements			
	State	County	Election district, precinct, or ward	Township, municipality, town, or city		State	County	Election district, precinct, or ward	Township, municipality, town, or city
Alabama	2 years	1 year	3 months ¹		Montana	1 year	30 days		
Alaska	1 year		30 days ²		Nebraska	6 months	40 days	10 days	
Arizona	do	30 days	do		Nevada	do	30 days	do	
Arkansas	do	6 months	do		New Hampshire	do	do	6 months	6 months, 15 days ¹¹
California	do ³	3 months ⁴	64 days		New Jersey	do	2 months ⁵	do	
Colorado	do	do ⁴	15 days	30 days	New Mexico	1 year	3 months ⁶	30 days	
Connecticut	do			6 months ⁵	New York	do	4 months	do	
Delaware	do	3 months	30 days		North Carolina	do	do	do	
Florida	do	6 months			North Dakota	do	3 months ⁴	30 days ⁴	
Georgia	do	do			Ohio	do ¹²	40 days ⁴	40 days	
Hawaii	do		3 months		Oklahoma	do	6 months	30 days	
Idaho	6 months	30 days			Oregon	6 months			
Illinois	1 year	3 months ⁴	30 days		Pennsylvania	1 year ¹⁴		2 months	
Indiana	6 months	do	do	2 months ⁶	Rhode Island	do		4 months	6 months
Iowa	do	2 months ⁶			South Carolina	2 years ^{8 15}	1 year	4 months	
Kansas	do		30 days	30 days	South Dakota	1 year	3 months ^{4 5}	30 days	
Kentucky	1 year	6 months	2 months ⁶		Tennessee	do	do	do	
Louisiana	do	1 year	3 months	4 months ⁷	Texas	do	6 months	6 months	
Maine	6 months	3 months ^{2 8}	3 months	3 months	Utah	do	4 months	2 months ⁶	
Maryland	1 year	6 months	6 months ⁵		Vermont	do	do	do	3 months, 6 months
Massachusetts	do			6 months ⁵	Virginia	do	6 months	30 days	
Michigan	6 months			30 days	Washington	do	3 months ⁴	do	
Minnesota	do		30 days		West Virginia	do	2 months ⁶		
Mississippi	2 years		1 year ⁹		Wisconsin	do ¹⁶		10 days	
Missouri	1 year ¹⁰	2 months ⁶	2 months ⁶		Wyoming	do	2 months ⁸	do	

¹ Otherwise qualified electors who have moved to a new precinct in the same county, town, or city may vote in their old precincts.

² In election district.

³ New residents in the State may vote for President and Vice President only, after 54 days of residence.

⁴ 90 days.

⁵ No elector who has changed his residence from one county, precinct, or town to another loses his right to vote in his former county, precinct, or town until he acquires voting residence in the new one.

⁶ 60 days.

⁷ Municipality.

⁸ Plantation.

⁹ Ministers and wives may vote after 6 months' residence.

¹⁰ New residents in the State may vote for President and Vice President only, after 60 days of residence.

¹¹ In city of 4th class.

¹² 40-day residence requirement when voting for President and Vice President.

¹³ Voter must reside in precinct in which he registers.

¹⁴ 6 months if previously an elector or native of the United States.

¹⁵ Public school teachers and spouses may vote after 6 months' residence.

¹⁶ 10-day precinct residence requirement when voting for President and Vice President.

TABLE II.—Residence requirements by States—Place where voter must reside for period indicated

Required duration of residence	In State	In county	In locality ¹
Years:			
2.....	3		
1.....	35	3	1
Months:			
6.....	12	8	3
5.....			
4.....		2	1
3.....		10	3
2.....		5	5
Days:			
40.....		2	1
30.....		4	16
15.....			1
10.....			5
No requirement.....		16	14

¹ Includes 1 State requiring 54 days.

² Election district, precinct, or ward.

The most severe State-residence qualifications, 2 years, are required by Alabama, Mississippi, and South Carolina. The most severe county-residence provisions, 1 year, are in effect in Alabama, Louisiana, and South Carolina. The most stringent district-residence requirement, 1 year, is demanded by Mississippi.

Temporary absence does not deprive an elector of his residence. All election codes preserve the residence status of persons in the Armed Forces or in service agencies connected with the Armed Forces. Most States provide that no person shall lose or gain residence status because of absence while employed by the Federal Government. Similarly, most election codes provide that electors who are employed in navigation or who are attending a school, college, university, or other institution of learning retain their residence rights.

Conversely, members of the Armed Forces do not acquire residence by virtue of being stationed at a military establishment within a State. * * * This does not work any considerable hardship upon military personnel since all States now provide them with absentee balloting privileges. These privileges are usually extended to their wives and dependents as well.

Inmates of public or private institutions usually do not establish residence thereby. Domicile recognition is granted in some States, however, to persons in soldiers', sailors', and old-age homes.

ESTIMATES OF DISFRANCHISING EFFECTS

The exact number of persons disfranchised by residence requirement laws is not available nor, indeed, are accurate computations possible under present conditions. The States themselves keep no records. The Bureau of the Census publishes estimates of population mobility but these are not easily translatable into meaningful statistics.

It is the common characteristic of residence requirements that they disqualify only temporarily, usually for no more than one election. At least one writer, therefore, considers this a minor type of disqualification that disfranchises relatively few. Other students of the subject disagree with this estimate. Harold F. Gosnell, for example, wrote in 1948: "There is no question that the residence requirement disfranchises large elements, particularly in a period of economic depression when there are many migratory laborers seeking jobs, or in a war boom period when workers are attracted from their former homes to war industry centers."¹

More concretely, a survey of nonvoting in Chicago in 1924 by Merriam and Gosnell disclosed that 5.2 percent of the nonvoters interviewed claimed that insufficient legal residence kept them from the polls.²

Twenty-eight years later other investigators found that, in the election of 1952, "12 percent of the people who reported that they had not voted said they were disfranchised because of inability to meet [residence] requirements; in terms of total population, this means 3 out of every 100 adults living in private households * * *." ³ Comparing these reports, Lane concludes that the number of persons disfranchised by such requirements is on the rise.⁴

V. O. Key observes: "The geographical mobility of the American population gives the residence requirement a greater significance than might be supposed. In the early 1950's annual census surveys showed that between 3 and 4 percent of the people lived in a different State than they had 1 year earlier; roughly the same proportion lived in a different county of the same State than it had 1 year earlier."⁵ Key estimates that residence requirements probably exclude more than 5 percent of the potential electorate from the ballot.⁶

If the educated guesses published in recent years are to be trusted, the rising trend of disfranchisement postulated by Lane and Smith is clearly documented. Ralph Goldman claims that a conservative figure for 1954 would be 5 million, or about 5 percent of the eligible voters.⁷ The American Heritage Foundation estimates that 6 million were disqualified because of residence requirements in 1956, or about 6 percent of eligible voters.⁸ And in 1960 the foundation said 8 million otherwise eligible voters would be disfranchised, about 7½ percent.⁹

Whatever the accuracy of these estimates, the facts of American internal migration are undeniable. Americans have always been extraordinarily mobile. In measuring this phenomenon the Census Bureau has discovered that, in 1850, 24 percent of the population was residing in a State other than the one of birth. The figure dropped to 20.6 in 1900, but afterward moved steadily upward, except for 1940. In 1950 it was 25.2 percent.

About one out of every five Americans moved from one location to another at least once in 1957, according to Census estimates, and 14 percent of these moved from one State to another. Of the 171 million civilians 1 year old and over in the United States in April 1959, about 19.2 percent had moved to another house during the previous year. About 13.1 percent had changed residence within their counties; another 3.2 percent had moved from one county to another within their States; and about 3 per-

² Merriam, Charles E. and Harold F. Gosnell. "Nonvoting: Causes and Methods of Control." Chicago, University of Chicago Press, 1924, pp. 78, 79.

³ Campbell, Angus, Gerald Gurin, and Warren E. Miller. "The Voter Decides." Evanston, Ill., Row, Peterson, 1954, p. 37.

⁴ Lane, Robert E. "Political Life: Why People Get Involved in Politics." Glencoe, Ill., Free Press, 1959, p. 315.

⁵ Key, Valdimir O. "Politics, Parties, and Pressure Groups": 4th ed., New York; Crowell, 1958 p. 669.

⁶ Ibid.; Smith, op. cit.

⁷ Goldman, Ralph M. "Move—Lose Your Vote." National Municipal Review, January 1956: 6.

⁸ American Heritage Foundation undated release [probably Nov. 27, 1956]. See also, "17 Million Barred, Vote Study Finds." New York Times, Nov. 28, 1956: 24.

⁹ American Heritage Foundation undated release [November 1960].

cent of the total population had moved from one State to another. This bustling internal mobility is probably greater than that in any other country in the world, except perhaps in totalitarian states practicing forced migration.

Who are these movers? What kinds of people are likely to be the targets of residence disqualifications? We have already mentioned migratory labor and the shifts caused by war industries.

We have also mentioned the effect stringent residence requirements were expected to have upon Negro voting. In this connection Gosnell has written: "It is notorious that the Negro agricultural laborers are in a precarious economic position in the South, and that they seek to improve their lot by making changes. Each change constitutes a barrier to voting."¹⁰

While not denying the effect of residence requirements upon these groups, other observers assert that professional and business people are among the hardest hit. Raymond Moley claims that "great corporations engaged in manufacturing or oil production and distribution or chainstores must of necessity shift managers, salesmen, and other executives constantly."¹¹ And the Saturday Evening Post recently observed: "By and large, the 'lost voters' are the better educated, more informed people who reasonably could be expected to ballot with the welfare of the Nation in mind and not for selfish reasons."¹²

Recent Census Bureau tabulations tend, at least partially, to confirm this point of view. Of major occupation classifications listed by the Bureau, professional and technical personnel made up the third largest group of movers. The largest group of migrants were what the Bureau calls operatives and kindred workers, i.e., semiskilled and apprentice workers, while the second largest group consisted of craftsmen and foremen. Large numbers of migratory farm laborers are also effected.

PROS AND CONS

No competent authority completely denies the merit of some sort of residence requirements for voters. The theorist may declare, as one has, that "the requirement of special residence for the exercise of the franchise is not compatible with the pure equality of democracy." But he will almost certainly hasten to add that "from the standpoint of the Government it is necessary because only those will look after the consequences of their policies who have to face them. The homeless agitator, now here, now there, will not assume responsibility."¹³

The justification for these requirements is divided into three major propositions:

1. Residence requirements help to prevent fraud.
2. Voters should have sufficient time to acquaint themselves with local candidates and issues.
3. It is more likely that after a period of residence a voter will acquire a stake in community affairs sufficient to encourage responsible voting.

Fraudulent voting practices are undeniably deterred by residence requirements. Even the United Kingdom, with one of the most liberal residence laws in the world, has found it expedient since 1949 to require 3 months' residence in the constituencies of Northern Ireland because of the risk that the balance in some marginal districts might be upset by voters brought across the border. In American practice, the importation of floaters into close districts where a few

¹⁰ Gosnell, op. cit., p. 115.

¹¹ Moley, Raymond, "The Disfranchised," Newsweek, Nov. 21, 1960, 116.

¹² "Are You Barred From the Polls by Obsolete Laws?" Saturday Evening Post, Nov. 12, 1960, 10.

¹³ Braunias, as paraphrased by Gosnell, op. cit., p. 114.

¹ Gosnell, Harold F. "Democracy, the Threshold of Freedom." New York, Ronald Press, 1948, p. 114.

voters may turn the tide is not unknown. Residence requirements tend to discourage such tactics.

The demand that a person shall become acquainted with the candidates and issues upon which he will pass judgment at the polls is also a reasonable one. The ideal of a democratic system is not merely that each member of the society should vote, but that each member should cast an intelligent and knowledgeable vote. Residence requirements insure that a voter has had sufficient time to appraise the local situation and to inform himself about its intricacies.

Finally, it is expected that after a reasonable period of residence the prospective voter will have acquired some material stake in the well-being of the community. His vote, it is hoped, will be tempered by responsibility and by the realization that his own long-term interests are involved. Braulios' "homeless agitator" is thus circumscribed, and the influence of the stable element in the community is enhanced.

Responsible critics of our present residence requirement situation make both direct and indirect rebuttal to the arguments cited above. They call attention to the general trend in the development of suffrage in this country. That trend has been toward a widening of the electoral base. The 1830's marked the end almost everywhere of the traditional property limitations. The new States west of the Alleghenies, where social class differences were at a minimum, marked their admission with practically universal suffrage for white men, and the tendency was rapidly carried back into the original States. The enfranchisement of Negroes after the Civil War and the extension of women suffrage to all States in 1920 continued that trend. Unjust, unreasonable, and discriminatory residence requirements are relics of less democratic days. They run contrary to the mainstream of American suffrage development.

Granted that there is some justice in a domicile requirement, the crucial question arises as to what is a reasonable length of time? The problem of fraud is at least partially solved by an efficient registration system. A brief rather than a lengthy period of residence should be sufficient additional safeguard.

Local issues are not so complex that an alert and reasonably intelligent potential voter could not prepare himself for a decision on candidates and issues within a similarly brief period. And even if local issues are so complex, it does not follow that when a person moves across the street and thereby into a different precinct or district he loses his competence as a voter.¹² Similarly, removal from one county to another within a State may throw suspicion upon a voter's immediate competence to judge his new county's affairs, but it does not affect his knowledge of State candidates and issues. Finally, in this day of improved communications and growing homogeneity of the Nation, what relation has length of residence in any particular State to knowledge about candidates for President and Vice President?

The groups disfranchised by residence requirements have been described above. These are all worthy members of our so-

ciety who are being discriminated against simply because of a migratory accident. The person temporarily disfranchised by the State in which he is establishing a new residence is still a citizen of the United States. He may be otherwise qualified in every reasonable respect; yet he is denied the right to vote. Legal restrictions, Morris S. Ogul reminds us, "are necessary if honest, efficiently conducted elections are to be held. However, the object should be to facilitate voting as well as to raise barriers to the exercise of the franchise."¹⁴

Finally, there is a basic injustice in the wide variety of statutory residence requirements from State to State. Why should a State require a citizen who moves into that State to wait 2 years before voting for national officials, while other States are satisfied with 6 months' residence?

These and similar objections have been voiced by numerous organizations and individuals. The American Heritage Foundation, a nonpartisan organization active for many years in get-out-the-vote campaigns, lists reduction of residence requirements as its No. 1 reform recommendation. At one time the foundation favored 6 months' State and 60 days' county residence. In its latest release the foundation recommends: "Reduce State residence requirements for voting for President and Vice President to 40 days; and to 6 months for other elections."

The National Institute of Municipal Clerks created a committee on uniform election laws in May 1952. A year later this committee recommended that the institute urge the Federal Government "to act to make it possible for interstate movers to vote" in elections of officials of the Federal Government. The institute adopted the report.

The National Association of Secretaries of State has been concerned with the problem since 1953. At its Seattle convention of that year the association approved a model proposal, based upon recent Connecticut legislation, that would permit former residents of a State to vote for President and Vice President in that State until they have qualified under the residence requirements of their new domicile. A special association committee recommended similar action in a report to the 1957 annual meeting. At its 1960 convention in New York the association again went on record in favor of a relaxation of State residence requirements for voters, after listening to an address favoring such relaxation by New York's Gov. Nelson A. Rockefeller.¹⁵

Like the Secretaries of State Association, the General Assembly of the States, one of the organizations serviced by the Council of State Governments, has opposed Federal legislation in this area, urging the States to handle the problem themselves. In December 1952, the 11th general assembly recommended that the organization concern itself with absentee voting legislation "including draft proposals to prevent the loss of voting rights by persons who move from one State to another thus becoming disenfranchised." A draft of suggested legislation was approved in 1953 by the drafting committee of State officials, another affiliate of the council. (See appendix.) The model is patterned after the Connecticut law. The drafting committee also recommended that "all States initiate action looking to the establishment of a residence requirement for voting purposes which does not exceed 1 year and which would preferably be the specific period of 6 months. This recom-

mendation applies to all voting, and not just to voting in a national election."

Many Members of Congress have expressed concern over the current state of residence requirements, among them Representatives Laurence Curtis of Massachusetts, Byron L. Johnson of Colorado, George H. Bender of Ohio, and Senator Jacob K. Javits of New York.¹⁶

Numerous political scientists and other scholars have been critical of the stringency of residence qualifications, including Dudley O. McGovney, Robert E. Lane, Hugh A. Bone, Constance Smith, Clyde F. Snider, Dayton David McKean, Harold F. Gosnell, Henry Steele Commager, Ralph M. Goldman, Morris S. Ogul, and I. Ridgeway Davis. McGovney has suggested a constitutional amendment setting residence requirements at 6 months in the State and 3 months in the voting precinct.

Editorials appeared this year in *Life* and the *Saturday Evening Post* urging modernization of election laws and the reduction of residence requirements.¹⁷ The lead editorial in the *Washington Post* of August 27, 1956, decried the "appalling loss of citizen participation" because of residence disqualifications and argued for a uniform law. Raymond Moley recently devoted a column to criticism of "our absurd and obsolete" election laws. "It seems to me," he wrote, "that Federal legislation might be held constitutional which would permit every qualified American citizen to cast a vote for President and Vice President where he has lived for 30 days."¹⁸

The public's reaction to the problem of residence requirements was measured by the American Institute of Public Opinion in 1959. A nationwide sample was asked: "Would you approve or disapprove of a law which would require not more than 6 months' residence in any State to be eligible to vote in all elections in that State?" The institute reported the following results: Approve, 72 percent; disapprove, 22 percent; no opinion, 6 percent.¹⁹

CONTEMPORARY TRENDS IN STATE LEGISLATION

During the past decade a perceptible movement toward the easing of residence requirements has developed. Only a small number of the States are as yet involved and the remedies adopted are sometimes conflicting, but steps have nevertheless been taken on three broad fronts.

One direction of change simply involves reducing the period of residence required within a State's jurisdiction. In recent years Louisiana and Rhode Island have lowered their requirements from 2 years to 1, and New Jersey reduced its State-residence demand from 1 year to 6 months.

A second movement of reform has concentrated upon those residence requirements completely barring from the polls otherwise qualified voters who have moved from one part of the State to another. Alabama, which ordinarily requires 3 months' residence in a precinct or ward, now permits otherwise qualified electors who have moved to a new precinct or ward in the same county, town, or city within 3 months of an election to vote in their former precincts.

¹² CONGRESSIONAL RECORD [daily ed.], June 25, 1953: A4048-A4049; Mar. 5, 1959: A1768. CONGRESSIONAL RECORD, vol. 106, pt. 2, pp. 1461-1462.

¹³ "Let's Not Penalize Mobility," *Life*, Nov. 14, 1960: 41; "Are You Barred From the Polls by Obsolete Laws?" *Saturday Evening Post*, Nov. 12, 1960: 10.

¹⁴ Moley, op. cit. For a rebuttal of this position, as well as a similar one advanced by Ralph M. Goldman, see "Constitutionality of Federal Legislation," below.

¹⁵ "Public Would 'Reenfranchise' 10 Million Now Denied Ballot," *American Institute of Public Opinion* release, June 13, 1959.

¹⁶ The severity of precinct requirements may be more apparent than real. Local election judges have been known to interpret the law quite broadly. It is reported that in the 50th precinct of Chicago's 2d ward there were only 22 residents at the time of the November 1960 elections, but 84 votes were cast. The election judges explained that slum-clearing demolition had forced many persons to move from the precinct. The judges said they had permitted these relocated residents to vote. *GOP Chicago vote aid charges whitewash*, *Washington Post*, Nov. 24, 1960: A2.

¹⁷ Ogul, Morris S. Residence requirements as barriers to voting in presidential elections. *Midwest journal of political science*, August 1959: 254.

¹⁸ "Residence Hurdles for Voters Scored," *New York Times*, Aug. 27, 1960: 6; "State Secretaries Ask Voting Reform," *New York Times*, Aug. 28, 1960: 27.

Broader reforms involving movement between counties have been adopted by at least eight other States. Otherwise qualified intrastate migrants in these States may cast their ballot for State and National offices at their previous addresses if they have not met local residence requirements by election day. Thus, in California a voter retains the right to vote at his former residence if he moves to another county during the 90 days preceding an election. In North Dakota, South Dakota, and Maine the statutory grace period is 3 months. In Massachusetts, Maryland, and Connecticut it is 6 months, and in Ohio it is 40 days.

The third type of reform has attempted to restore to otherwise qualified individuals who have moved from one State to another the right to vote for presidential and vice-presidential electors.

Two types of legislation have been enacted. The first was passed by Connecticut in 1953. It declares that any person who has been registered as a voter in a town of the State and has moved to another State may vote, by absentee ballot, in his previous residence. He may vote only for presidential and vice-presidential electors and only within a 24-month period after he has moved, provided he has not become a qualified voter at his new residence. In 1957, Vermont adopted a similar measure. It specifies a 15-month retention period, and adds the proviso that those wishing to take advantage of the act "must file with their town or city clerk a written declaration of intention to retain such Vermont residence for the purpose of casting a vote for presidential and vice-presidential electors."

A second, and somewhat conflicting, approach was first adopted by Wisconsin in 1954. This method waives all or part of the State's normal residence requirements for new residents who wish to vote for presidential and vice-presidential electors.

The Wisconsin statute declares:

"A person who has been a resident of this State for less than 1 year prior to the date of a presidential election shall be entitled to vote for presidential and vice-presidential electors in such elections but for no other offices, providing he was either a qualified elector in another State immediately prior to his removal to this State or would have been eligible to vote in such other State had he remained there until such election, and provided further that he would be a qualified elector under section 601 except that he has not resided in the State for 1 year."

Section 601 states that the person must be 21 years old, a resident of the State for 1 year and of his precinct for 10 days. In effect, therefore, otherwise qualified but newly resident persons in Wisconsin may vote for President and Vice President after 10 days residence in one of the State's precincts.

Three States have followed Wisconsin's lead. In 1958 the voters of California and Missouri approved amendments to their State constitutions to grant new residents the right to vote in presidential elections. The California amendment authorized the State legislature to extend this right to otherwise qualified persons who have resided in California for at least 54 days (the normal precinct requirement). Missouri's constitution now permits a person to vote for President and Vice President after residing in the State at least 60 days. Ohio voters amended their constitution in 1957 so as to authorize the legislature to extend similar privileges to new arrivals in that State. The legislature passed implementing statutes in 1959, and otherwise qualified persons may now vote for presidential and vice-presidential electors in Ohio provided they have resided in the State at least 40 days.

The legislatures of at least four other States have considered and rejected bills to enfranchise new residents who might otherwise lose their vote for President: Arizona,

Colorado, Massachusetts, and New York. The Secretary of the State of New York has declared that a measure modeled on the Wisconsin plan will again be recommended to the State legislature.

Oregon's residence provisions are unique. As of the 1960 election a voter was qualified if he had resided 6 months in the State and if he resided in the precinct in which he registered. In the 1960 election, Oregon voters approved a constitutional amendment authorizing the legislature to permit otherwise qualified persons who have resided in the State for less than 6 months to vote for presidential candidates.

In summary, two States—Connecticut and Vermont—permit former residents to cast absentee ballots for President and Vice President, while five States—Wisconsin, California, Missouri, Ohio, and Oregon—waive their normal residence requirements so that new residents may vote for presidential electors.

Both the Connecticut and Wisconsin approaches are limited to presidential elections, for constitutional as well as practical reasons. The Constitution of the United States leaves the entire method of election of presidential and vice-presidential electors to the States. But the States cannot constitutionally waive residence requirements for voters in the election of Members of Congress unless they also waive such requirements for the election of members of the most numerous branch of their legislatures. This the States are unlikely to do since it is in regard to the latter that the argument for a period of residence in order to become familiar with local issues assumes its greatest force.

The Connecticut plan has one great advantage: The voter is at all times eligible to vote for President and Vice President. He retains that eligibility in his original State of residence until the very day he becomes qualified in his new State. Furthermore, if all States were to adopt this system, no State would be required to relax its other residence requirements.

Connecticut's system might prove unsatisfactory in two ways. First, new residents might be encouraged to postpone acquiring familiarity with local political conditions. Secondly, some persons might be discouraged by a cumbersome absentee ballot procedure.

One principal disadvantage impairs the Wisconsin approach. Some interstate migrants would still be unable to vote because they could not meet even the minimal residence requirements, although the number of such persons would admittedly be very small.

The Council of State Governments' affiliates and the National Association of Secretaries of State, as noted above, have approved model proposals based upon the Connecticut legislation.

From one point of view the Wisconsin and Connecticut laws conflict with each other. A qualified Connecticut voter who moves to Wisconsin is embarrassed with riches. He may continue to vote in presidential elections in Connecticut by absentee ballot until he fulfills the normal Wisconsin residence requirements. Or he may take advantage of the waiver provisions of Wisconsin law after 10 days. On the other hand, a Wisconsin resident who moves to Connecticut derives no benefit from either State's special laws. He must now complete 1 year's residence in the State and 6 months in a town before he can vote in any election.

At least two writers have suggested an alternative to both the Wisconsin and Connecticut approaches. Goldman recommends that "the States among themselves might adopt a reciprocal-recognition system that would make obstructive residence requirements obsolete."²⁰ Ogul suggests more concretely that "the ideal solution . . . might be a model State registration system adopted

by all of the States with each one granting reciprocity at least for presidential elections."²¹

CONGRESSIONAL ACTION

On March 22, 1954, during the 2d session of the 83d Congress, Representative LAURENCE CURTIS, of Massachusetts, introduced House Concurrent Resolution 218, dealing with the subject of residence requirements for voting. In its original form, the resolution proposed that Congress recommend to the States "the immediate enactment of appropriate legislation to enable a person to vote for Federal officials, when such person would be eligible to vote for such Federal officials but for the residence requirements of the State in which he is residing." The resolution was reported by the Committee on House Administration. On August 5, 1954, unanimous consent was requested for its immediate consideration, but objection was heard. On August 9, the resolution was successfully called up. A committee amendment attaching an explanatory preamble was accepted, as was a revision of the body of the resolution to broaden its application to all, not just Federal, elections. In addition, the word "suggests" was substituted for "recommends" and "consideration" was inserted in lieu of "immediate enactment." In this form the concurrent resolution was agreed to by the House. It died in the Senate.

Mr. CURTIS reintroduced his proposal in the following Congress as House Concurrent Resolution 94. It passed the House on June 30, 1955. The Senate agreed to the resolution on January 16, 1956. The final text read as follows:

"Whereas many citizens are deprived of the right to vote because they have recently moved from one State to another and have not subsequent to such move complied with the residence requirements of the State to which they have moved; and

"Whereas it is desirable that citizens should be entitled to vote for the office of President and Vice President whether or not they had moved from one State to another; and

"Whereas such disfranchisement could be avoided by reciprocal arrangements between the several States which would recognize the right of a citizen who had moved from one State to another to continue to vote in the State from which he had moved for such reasonable period of time as would enable him to fulfill the residence requirements in the State to which he had moved: Therefore be it

"Resolved by the House of Representatives (the Senate concurring), That the Congress expresses itself as favoring, and recommends to the several States the consideration of appropriate legislation to enable a person to vote for President and Vice President when such person would be eligible to vote but for the fact that he had moved from one State to another and had not yet fulfilled the residence requirements of such State to which he had moved."

Note that the third paragraph of the resolution appears to endorse State legislation similar to the Connecticut model.

Congress has taken no further action in this field. Two resolutions were introduced during the 1st session of the 86th Congress but neither was reported out of committee. One was introduced on February 17, 1959, by Senator PAT McNAMARA of Michigan. It called for a constitutional amendment prescribing maximum qualifications for voting in Federal elections as (1) citizenship, (2) age 21, and (3) 1-year residence in a State. On September 10, 1959, Representative JOHN BRADEMAS of Indiana introduced House Joint Resolution 524 which proposed a constitutional amendment restricting State voter

²⁰ Goldman, op. cit., p. 46.

²¹ Ogul, op. cit., p. 262.

qualifications to those of "nonage, nonresidence, or imprisonment."

CONSTITUTIONALITY OF FEDERAL LEGISLATION²²

May Congress regulate by legislation the residence qualifications of voters in Federal elections? Apparently it may not. Other than unenforceable recommendations to the States, such as H. Con. Res. 94, 84th Congress, described above, it would appear that an amendment to the Constitution of the United States is the only method available to Congress for modifying such requirements.

Under the terms of article I, section 2, clause 1, and amendment XVII of the Constitution, the people of the several States are guaranteed the right to vote for Representatives and Senators. But in both instances the Constitution states further that "the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature(s)." Thus, while the States may not directly prescribe the qualifications of voters for Members of Congress as such, the qualifications the States prescribe for electors of the most numerous branch of their legislatures are adopted by the Constitution for this purpose.

The Supreme Court of the United States discussed the point in *Ex parte Yarbrough* (110 U.S. 651, 663):

"The States in prescribing the qualifications of voters for the most numerous branch of their own legislatures, do not do this with reference to the election for Members of Congress. Nor can they prescribe the qualification for voters for those *ex nomine*. They define who are to vote for the popular branch of their own legislature, and the Constitution of the United States says the same persons shall vote for Members of Congress in that State. It adopts the qualification thus furnished as the qualification of its own electors for Members of Congress."

It would appear, therefore, that the right to vote for Members of Congress is derived from the U.S. Constitution, and Congress may legislate to protect the rights of those who qualify under State law. But Congress may not legislate as to the qualifications of the voters since this power is given by the Constitution to the States. As in the case of the 15th and 19th amendments, which forbid the States to deny any citizen the voting privilege on account of race, color, previous condition of servitude, or sex, it would require a constitutional amendment to effect any change in the residence requirement for electors of Senators and Representatives.

Insofar as the election of the President and Vice President is concerned, article II, section 1, clause 2 of the Constitution of the United States provides:

"Each State shall appoint, in such manner as the legislature thereof may direct, a number of electors, equal to the whole number of Senators and Representatives to which the State may be entitled in the Congress * * *."

The word "appoint" in this clause has been interpreted in its broadest sense. Thus, the appointment and mode of appointment of presidential and vice presidential electors are said to belong exclusively to the States. If this be so, in a State which selects as its mode of appointment election by the people, the qualifications of the voters are part of this mode. Such qualifications are therefore State responsibilities reserved to them by the Constitution.

Mr. KEATING. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JAVITS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

FEDERAL AID TO EDUCATION

Mr. JAVITS. Mr. President, I wish to address myself briefly to a question which relates to Federal aid to education, the message of the President sent to us on that subject, and the various positions which are reflected in this Chamber.

I think the important point that I should like to leave with the Senate today is on the question of party positions on this subject. I think it is fair to say that we now have very clearly before us the position of the administration.

To qualify myself, my interest in the subject relates to the fact that I am a member not only of the committee which will handle the proposed legislation, but I am also a member of the Subcommittee on Education of the Senate Committee on Labor and Public Welfare. I have been cosponsoring with the Senator from Kentucky [Mr. COOPER] what has been generally considered to be the Republican alternative of a group on this side of the aisle, which has now blossomed into a bipartisan alternative to the program put before us by the President.

I mention the question of party positions because I have noted something in the RECORD which I think ought to be made clear. In connection with the subject of Federal aid to education I noted a statement introduced by or on behalf of my distinguished colleague, the Senator from Arizona [Mr. GOLDWATER] on Monday. There were some statements in the context which read to the effect that, "the Republican Party states or takes a certain position." One of those statements is:

The Republican Party rejects the wasteful and undemocratic measures to appropriate for school aid billions of dollars extracted from the States, only to be partially funneled back to them again with strict limitations on the use to which these funds may be put.

A reference to the headnote indicates clearly that the Senator from Arizona [Mr. GOLDWATER] puts these statements forth, and I have read one of them, as "Proposed Republican principles, and so forth."

So although he uses the words "the Republican Party takes the position," it is really a proposal by him that the Republican Party should take such a position.

I make that point very clear because I do not feel that either I or, I say, with all respect, the Senator from Arizona [Mr. GOLDWATER], is speaking other than as an individual Senator, and neither of us, of course, can state the party's position. So in order to have the record upon that subject crystal clear, I think we should note the party's position on Federal aid to education that was set forth in the party platform adopted in

Chicago by the Republican National Convention on July 27, 1960. That platform stated:

Primary responsibility for education must remain with the local community and State. The Federal Government should assist selectively in strengthening education without interfering with full local control of schools. One objective of such Federal assistance should be to help equalize educational opportunities. Under the Eisenhower-Nixon administration, the Federal Government will spend more than a billion dollars in 1960 to strengthen American education.

We commend the objective of the Republican administration in sponsoring the National Defense Education Act to stimulate improvement of study and teaching in selected fields at the local level.

Toward the goal of fullest possible educational opportunity for every American, we pledge these actions:

Federal support to the primary and secondary schools by a program of Federal aid for school construction—pacing it to the real needs of individual school districts in States and territories, and requiring State approval and participation.

It seems to me very clear that the platform already commits the Republican Party to Federal assistance to school construction. It provides specifically:

Federal support to the primary and secondary schools by a program of Federal aid school construction.

That indeed is the policy reflected in the bill introduced by the minority leader, the Senator from Illinois [Mr. DIRKSEN], on January 17, which authorized Federal financial assistance for school construction.

There is also S. 723, which I have cosponsored with the distinguished Senator from Kentucky [Mr. COOPER] and a total of seven other Senators of both parties in which there is provision for Federal aid for school construction.

In terms of primary and secondary public education, the bill goes even further and relates to equalization of educational opportunity in low income States, and provides emergency assistance, not only for school construction but also for incentives to improve teachers' salaries in all the States.

I point out, too, that the basis of our bill is the so-called foundation plan, that is, providing a minimal standard of education for the individual pupil, which is the fundamental idea sponsored in the Senate beginning in 1947 by Senator Robert Taft, who was certainly a very distinguished Republican.

Our point is that we want to find a way of using Federal aid to give equal educational opportunity to all children, in the national interest, whatever may be the economic status of the States in which they live, or whatever may be the economic status, or, indeed, the race, creed, or color of the particular child.

By way of comparison, the cost under our bill as compared with the cost under the bill of President Kennedy is that our bill over a 4-year period would have a cost range of from \$710 million the first year to \$1 billion the fourth year, or a total cost of \$3.4 billion.

I should like to summarize my views, and to say that I have talked with my distinguished colleague, the Senator from Arizona [Mr. GOLDWATER], and told

²² This section is based largely upon a previously prepared memorandum by Mollie Z. Margolin of the American Law Division, Legislative Reference Service.

him I would make these observations in this way on the floor.

I summarize as follows: I do not feel that the Republican Party is committed by its platform to more than Federal aid for school construction. Nor do I feel, on the other hand, that the party is committed against any Federal aid to education. Rather, I feel it is committed to such a program with the limitation which I have described, and I think it should be made crystal clear to anyone who reads the record and runs on our party's platform. For that reason, I wanted to be sure the record was straight.

Second, I believe in proceeding, as the Senator from Kentucky [Mr. COOPER], I and others joining with us are proceeding, under a foundation plan which will give Federal aid to school construction as well as an incentive to the States themselves to materially improve teachers' salaries. In premising the entire plan upon a fundamental provision of a specific optimum sum per pupil, and providing Federal aid within the context of that formula, we are following the excellent precedent of Senator Robert Taft, who was known in his day as Mr. Republican, and quite properly so. I stress the hope that we may get the support of a majority of the Republican Party who serve in the House and Senate for the kind of program which I have suggested.

This is most important. We are gradually developing the role which the opposition will play in respect to this administration. The administration is developing its programs, and developing its case, and developing its attitude. We, too, on our side must be developing our concept of how we are going to operate now in a totally new frame of reference, without a President who is a member of our party, and yet with a role to fill which in the eyes of the country must be extremely important.

I make these points with respect to the education bill, which is an excellent case in point, to demonstrate two ways in which we can proceed: First, there is a basis in precedent in our own party for enlightened views upon these modern subjects. Certainly Senator Taft is a most respectable and, indeed, quite a proper source upon which to draw in that regard. Second, I wish to demonstrate my deep conviction that we can serve the country and serve our party best by utilizing the doctrine of feasible alternatives, of which this is one. "Feasible alternatives" does not mean that all we must do is to react to what the administration proposes, so that if it proposes a bill on Federal aid to education, we have an alternative to that bill.

It also means that we must have enterprise and initiative. In that connection, other Members of the Senate have introduced measures, such as the resolution that was submitted earlier today with reference to a United Nations police force, which embodied ideas that did not come from the other side, but which arose on this side of the aisle.

I have myself introduced measures of different types, such as the one to set up labor-management productivity councils.

I point that out to emphasize the fact that the idea of a feasible alternative, in which I thoroughly believe, means, whether we are talking about productivity or lag in education, or some other subject, and not merely reacting to a program that is placed before us by an administration proposal, a proposal which will come from the Republican side to meet a particular national need or a particular international situation.

Generally, this is the approach which I believe can be of the most effective use to our people.

In this connection, too, we should not forego the opposition, the dissection, the criticism, the detailed challenge of how we are to make something work, or where we are going to get the money, or with respect to presenting what is generally associated with the conservative position.

This bears out my deep conviction that within my party there is room for all elements, liberal and conservative, as well as those who emphasize opposition, and also for those who, like myself, emphasize the doctrine of feasible alternative.

It should be made clear, as I have tried to make clear in my remarks, that there is this composite of opinion, and that, therefore, there should be a composite of proposed action, such as I have described.

SHIPMENT OF STRATEGIC MATERIALS TO THE SOVIET UNION

Mr. MANSFIELD. Mr. President, earlier today the distinguished Senator from Delaware [Mr. WILLIAMS] submitted a resolution for himself and the Senator from Maryland [Mr. BUTLER], and he asked unanimous consent that the resolution be placed on the calendar without reference to an appropriate committee. No notice was given that this procedure would be requested, and no objection was raised.

Had I been on the floor at the time, I would have raised objection, because I do not believe that is the proper procedure to follow. In my opinion it is an unwise procedure in most instances. I know of no reason why the resolution should not have been referred to committee, or why notice of it might not have been given to the majority leadership.

Consequently, Mr. President, I serve notice that next week I shall move to refer the resolution to committee.

Mr. WILLIAMS of Delaware. Mr. President, I certainly had no intention of taking advantage of the majority leader. He was on the floor at the time.

Mr. MANSFIELD. No; I was not on the floor. I had left the floor before the Senator from Delaware rose to speak. Had I been on the floor, I would have objected.

Mr. WILLIAMS of Delaware. I thought the Senator was on the floor at the time. However, if there is a misunderstanding—and I certainly have no intention of taking advantage of the Senator from Montana—I would be glad to withdraw my request. However, I

must say to the majority leader, that if I withdraw my request, I will reoffer the resolution during the next morning hour, and ask that it be read to the Senate, following which, I will ask for its immediate consideration. I recognize the fact, of course, that the majority leader would object to the request for its immediate consideration. Then, under the rules of the Senate, an objection having been made, it would automatically lie over on the desk for 1 day. It would then be automatically handed down for consideration at the next session, during the morning hour. I believe the majority leader is in a much better strategic position if he lets the matter rest where it is and goes along with the procedure that has been followed in this matter. However, if there has been a misunderstanding, I will withdraw the resolution today with the understanding that it shall definitely be reoffered Friday. I serve notice that under those circumstances, I will exercise my right under the rule of the Senate for its immediate consideration in the morning hour, following which one objection would carry it over, but under our Senate rules it will then automatically be handed down for consideration in the morning hour at the next session of the Senate.

Mr. MANSFIELD. The Senator is correct. I was referring to the proper procedure that should be followed, inasmuch as we have committees set up for this purpose.

Mr. WILLIAMS of Delaware. I appreciate that there is always great interest in the Senate in having all matters referred to committees, except perhaps those matters in which a particular Senator is interested. I recall that the distinguished majority leader has on occasion acted in this same fashion with respect to certain resolutions, and on occasions he too has favored bringing measures to the floor without committee consideration. Still if the majority leader wishes, I certainly have no objection to carrying this over until Friday; however, I most respectfully advise the majority leader that his objection at this time under the rules of the Senate cannot block its consideration. As I have said, I will reoffer it on Friday, and under the rules of the Senate I will ask for its immediate consideration. I will do this with the full expectation that an objection would be made to such procedure but with the knowledge that this objection would place it where it would be considered during the next morning hour.

I ask the Presiding Officer a parliamentary question: Am I not correct in my understanding of the rules of the Senate? Would they not so apply?

The PRESIDING OFFICER. The Chair is of the opinion that the Senator from Delaware is correct; but unanimous consent would have to be given for the Senator to submit the resolution at this time out of order.

Mr. WILLIAMS of Delaware. That is only by virtue of the fact that the morning hour is closed.

The PRESIDING OFFICER. The Senator is correct.

Mr. WILLIAMS of Delaware. But the resolution could be submitted at any time during the morning hour and would then be subject to the objection which I am confident would be made by the majority leader. That would place the resolution in the position where it would automatically come before the Senate for consideration during the next morning hour. Is that not correct?

The PRESIDING OFFICER. That is correct.

Mr. MANSFIELD. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Montana will state it.

Mr. MANSFIELD. If the Senator from Delaware does as he suggests, then would it not be in order to move that the resolution be referred to committee?

Mr. WILLIAMS of Delaware. Oh, yes; but we get a vote.

The PRESIDING OFFICER. It would be in order to move to refer the resolution to committee.

Mr. WILLIAMS of Delaware. That is correct.

Mr. MANSFIELD. So far as the resolution is concerned, there is no intent on my part or, I feel certain, on the part of any other Senator to take a personal stand for or against it. The overwhelming number of resolutions, generally speaking, are referred to committees. I should think that the best way to act would be on a proper procedural basis, so that the committees which have been set up to attend to these matters can take them under consideration and report them either adversely or approvingly.

Mr. WILLIAMS of Delaware. I am well aware that the Senate can refer the resolution to committee, can reject it, or can approve it. The resolution I have submitted deals with a shipment of strategic materials—machine tools—to Soviet Russia. The Defense Department has expressed very strong objection to the shipment on the basis that the tools can be used only for military purposes. The Defense Department has definitely stated that it is not in the best interests of our Government to let the shipment be made.

At a time when the United States is spending \$40 billion or more annually to defend the Nation against Communist aggression, I feel it is absurd for Congress to adopt a policy which condones a shipment of strategic war materials to Russia. That is my own feeling. I may be alone in that sentiment, but I do not think so. Nevertheless, I believe the Senate ought to act and vote on the question.

I certainly respect the majority leader. As I said, I thought he was on the floor or, at least, had an observer on the floor in his absence.

I want it made very clear that I submitted the resolution in accordance with the rules of the Senate, that it was accepted under the rules of the Senate, and that on this or any other resolution I reserve the right to proceed according to the rules of the Senate, which means that I am not necessarily a guard for the majority party.

Mr. MANSFIELD. I appreciate the Senator's statement. I understand his point of view. He acted legitimately and legally. All I am doing is appealing for the conduct of the business of the Senate on a proper procedural basis, because committees have been established to consider bills and resolutions.

Mr. WILLIAMS of Delaware. I think the responsibility and authority of the committees ought to be recognized on legislative questions, but this resolution does not deal with legislation. On occasion I have joined with the Senator from Montana in recommending the referral of legislative measures to committees. At times I have supported the referral of measures to committees when the Senator from Montana thought those measures ought to be considered without referral. I feel certain that we will agree that oftentimes our position is depending on the proposal which is being considered at the time.

I would not want in any way to take advantage of the absence of the majority leader. I really thought he was on the floor at the time, but I accept his statement that he was not.

Mr. President, if it will relieve the Senator from Montana, I ask that the unanimous consent which had been granted be rescinded with the clear understanding—and I serve notice now that whether the majority leader is here or not, at the next morning hour—and there will be a morning hour on Friday—the resolution will be reoffered. At that time, under the rules of the Senate, I shall ask for its immediate consideration. If there is objection to the immediate consideration of the resolution it will automatically go over and will be called up for action by the Senate on the next business day.

The PRESIDING OFFICER. Does the Senator from Delaware withdraw his resolution?

Mr. WILLIAMS of Delaware. I withdraw my earlier unanimous-consent request to submit the resolution since there was a misunderstanding.

The PRESIDING OFFICER. The resolution is withdrawn.

Mr. WILLIAMS of Delaware. At the same time, I desire to have the RECORD show clearly that on Friday the resolution will be reoffered under the procedure outlined.

Mr. MANSFIELD. I certainly believe completely what the Senator from Delaware has just said. I am sure he was under the impression that I was on the floor, so I can find no fault with his reasoning on that point. Unfortunately, I was not on the floor, but that was my fault, not the fault of the Senator from Delaware.

Mr. WILLIAMS of Delaware. I understand.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE MISSILE GAP

Mr. SYMINGTON. Mr. President, the missile gap is a subject that has been receiving much attention in the past few days.

Only last Monday the distinguished minority leader reached into Europe, and inserted in the RECORD some misinformation—from the London Observer—about the position of President Kennedy on this subject.

In an effort to prevent further misinterpretations, let me say now that there is a long-range ballistic missile gap; and there will be one for some time to come.

One of the reasons this gap may have been discussed so widely is that it is a simple matter and an understandable one.

The term, so far as I know, was coined several years ago by a well-known newspaperman. It meant that the Russians were ahead of us in developing and building intercontinental ballistic missiles.

It meant that they would have these missiles in significant numbers before we had them in significant numbers.

It meant that this situation was bound to continue for a long time, because this country had failed consistently to put enough effort into developing long-range ballistic missiles.

These facts were admitted by Secretary McElroy, after the matter came up early in 1959.

The basic fact was also admitted by Secretary Gates, in testimony before the Senate committee in 1960.

I predict that in closed testimony before the congressional committee, it will also be admitted, during the hearings which are shortly to begin.

Let me emphasize that however much we try to dodge the implications of the lead the Russians have over us in ballistic missiles, and however much we may be diverted from this simple fact by a discussion of other situations, this question of how many intercontinental ballistic missiles the Russians have today, as compared to the number we have, and how many they can have, and may have, next year and the year after, as compared to the number we shall have then, is not only important in itself; it is also a symbol of our own military scientific progress. It is so regarded, not only by people of the United States, but also by our allies—and common sense would imply by the Russians themselves.

The fact that there has been so much discussion and argument about this matter is proof of its symbolic preeminence; and proof also of its practical importance.

For some reason, there has been a consistent effort to downgrade this issue, an effort most apparent among those who desire to turn public attention to other matters.

Some military men, and some military writers, would like to have more attention devoted to the problems of weapons and equipment for limited war.

In this they are entirely correct. I agree with their position without reservation, and have strongly advocated most,

if not all, of the actions advocated to strengthen our limited war force.

I part with these advocates of greater limited war capability, however, if they try to strengthen their case by ignoring the great dangers, both real and psychological from the standpoint of diplomacy, that have resulted, and can only continue to result, if we continue our failure to match the Russians in the effort to develop and deploy long-range missiles.

Our strategic deterrent forces must be adequate beyond question. We have to at least equal the Russians in the modern and effective long-range weapons. Limited war forces are not intended to be a substitute for long-range missiles, and they are not a substitute. The case for improved limited war forces is weakened by advocates who try to divert attention from the inadequacy of our missile force.

In addition to those who wish to divert our attention to other matters, there are still others who would like to ignore the missile gap, or to explain it away, or to jump to the conclusion that it does not exist at all. These people are motivated by a patriotic desire to make the U.S. position appear as strong as it can possibly be made to appear. They feel that any criticism of our past or present mistakes and failures makes the United States look weak in the eyes of the world or the eyes of the Russians. They feel they must seize upon every pretext to cover up our weaknesses, and pretend they are a fiction or an illusion.

I do not agree with those who try to conceal or obscure the facts. I think their views, however patriotic, are extremely pessimistic about the strength and the future of our country. If this great democracy cannot see its mistakes, admit them, and set about correcting them, then we are truly in a bad way.

My own confidence in this country is far greater than that. We are big enough and strong enough to admit our temporary weaknesses in order to correct them. We have done so many times in our history, and we can do it again.

The Russians know how many missiles we have, just as they know how many airplanes and submarines and other weapons we have. Of course, they know their own numbers.

Friend and foe alike respect us more for our honesty, our realism, and our determination to face and correct any temporary failures. They cannot respect us for any transparent effort to minimize and conceal these failures. To see where we are lacking, to admit it, and to set about correcting it, is a mark, not of weakness, but of strength.

In his state of the Union message, President Kennedy announced three major actions, two of which were directed toward increasing and improving the missile forces of the United States. These actions mean more than any mere words. They are more persuasive than any comment that could be made upon them.

The directive to strengthen our Polaris fleet and to speed up our missile and site building program are perfectly consistent

with statements made by Mr. Kennedy over the past several months.

According to an article in the New York Times of February 9, 1961, Mr. Kennedy's position on the missile gap is a consistent one, as it is also consistent with statements made by others who have spoken repeatedly on this subject.

The Times quotes Mr. Kennedy as having stated on August 26, "The missile lag looms larger and larger ahead," and as having pointed out at that time that a missile gap does not necessarily mean a deterrent gap.

On September 14 he spoke of a need for "crash programs to provide ourselves with the ultimate weapons which will eventually close the missile gap."

These words have been translated into actions designed to correct the situation they describe.

Whether actions already announced, and other actions which will follow, will be sufficient to meet the needs of the hour is a question that may cause some debate. That debate should be concerned with questions of relative urgency, relative costs, and relative emphasis between our missile program and other necessary programs.

There can be no question or debate, however, on whether the need for closing the missile gap has been recognized by this administration. The need has been recognized and specific and important actions have already been taken, and other actions are now being prepared.

Is there any real excuse today for relaxing our vigilance and our efforts in a game of semantics over what is a missile and what is a gap, and how the figures can be stacked to make the realities of the Russian advantage seem to disappear?

Is it not better to attack the disease itself rather than to just take more aspirin?

The Soviets stole a march on us in the science of missile propulsion. Every informed American knows this today.

Does it help to pretend that having gotten ahead of us in this all-important field, they are now just sitting around in idle missile factories, just waiting for our production to catch up with them? Would that this were true, but we dare not believe it.

No matter how much the question of the extent of the gap or its permanence may be debated, the fact still remains as I stated in the beginning, that a long-range ballistic missile gap does exist, and will exist for some time to come.

If there are those who wish to believe, in spite of the evidence, that the Russians have not possessed a considerable missile production capability for the past 2 years and have produced no more missiles than one plant in the United States can produce in 2 or 3 months, then these people are easily comforted. It is a fact that our one long-range missile plant in production, if called upon to do so, could produce missiles at a rate of nearly one missile per day. In view of this fact, is it reasonable for anyone to assume that an estimate of 150 missiles produced and deployed by the Russians over the past 2 years is far too high?

Think of it—even if the number of Russian long-range missiles is less than a third of that number, we would still have an ICBM gap greater than that predicted by the former Secretary of Defense.

If it should be true—and there are qualified conscientious men who believe it is true—that the Russians have now produced as much as just one of our own plants could produce in 6 months, then the missile gap becomes even more of a problem.

I hope that the gap is not one missile larger than the very minimum that is now admitted.

But even if our fondest hopes are true, the gap is still there. It is real, and it will be there for some time to come. Let us face it. Let us finally dispose of the semantic talk around this issue, and get on with the task of carrying out the corrective actions that President Kennedy has already begun.

Mr. YOUNG of Ohio. Mr. President, will the Senator yield to me?

Mr. SYMINGTON. I am glad to yield to the able Senator from Ohio.

Mr. YOUNG of Ohio. I wish to express my belief that the distinguished senior Senator from Missouri has made today, on the floor of the Senate, a profoundly convincing and important statement. I hope that many Americans will read it. It comes from a Senator who has great knowledge of our defense needs, who has been Secretary of the Air Force of his country, and who is regarded by his colleagues as one of the outstanding authorities in this country on the subject. The senior Senator from Missouri [Mr. SYMINGTON] has done a real service to the free world in making this statement today, and I wish to compliment him on this important speech.

He has given the facts to the American people. They are entitled to know that there is a missile gap between the Soviet Union and this Nation. Unfortunately, they have been laddled soothing sirup from time to time during the Eisenhower administration.

Mr. SYMINGTON. Mr. President, I am very grateful for the gracious but undeserved comments of my friend from Ohio. It is my privilege to serve with him on the Committee on Aeronautics and Space, and to observe his thoughtful and thorough efforts in the field of civil defense.

I have noticed recent periodic insertions in the RECORD of various items incident to this missile gap, including one from a foreign newspaper only this week. I might ask why the remarks of such outstanding leaders of the Republican Party, such as those of Governor Rockefeller of New York, who was explicit on this subject not long ago, have not had their comments included, because I am sure nobody wishes to make this question of national defense just a partisan matter.

I have made this short talk this afternoon to set straight at least the implications of some recent insertions in the RECORD. Again let me thank my distinguished colleague from Ohio.

AUTHOR PHILIP WYLIE ASSERTS CIVIL DEFENSE USELESS IN NUCLEAR WAR

Mr. YOUNG of Ohio. Mr. President, Philip Wylie is one of America's most distinguished authors. His fame is worldwide. His views are heard with respect in political, as well as literary, circles.

When President Harry S. Truman formed the Federal Civil Defense Administration in 1949, Mr. Wylie was appointed an expert consultant. He served in that capacity for many years as a dedicated American.

He believed that civil defense was feasible and practical.

With the development of the hydrogen bomb, Mr. Wylie reappraised the concept of civil defense. He concluded that in the thermonuclear age civil defense is impossible and absurd.

He knows that this is a huge bureaucratic boondoggle, which has cost the American taxpayers more than a billion dollars and which is now performing no good whatever. He asserts that no plan—whether of city evacuation, shelters, early warning radar lines, or anything else—has value.

Mr. President, I completely agree with this fine American author.

Not only is civil defense futile in the age of hydrogen weapons, but the Office of Civil Defense Mobilization demonstrates this fact by its every action.

President Kennedy, in naming the Administrator of the Office of Civil and Defense Mobilization, indicated he was gravely concerned and wished to have a report on the entire subject.

I assert, Mr. President, we need a thorough investigation of this agency, its foolish programs, and senseless schemes.

The boondogglers of Civil Defense advise the citizens of Cleveland to evacuate their city in the event of a sudden attack. Then, in a city such as Buffalo, the boondogglers in charge advise digging shelters in backyards and basements, though, of course, in urban areas these would become firetraps. People do not know whether they are to run, to hide, or to try to do both simultaneously.

In the years of its existence, this inept agency has wasted more than \$1 billion of taxpayers' hard-earned money.

The taxpayers have paid, and have worried about paying, that money out uselessly. Certainly in this grim period of international anarchy we necessarily must spend millions of dollars for the defense of our country, but the money of the taxpayers should not be squandered and wasted in this manner.

In return for their money, Americans have received nothing but screeching sirens, senseless alerts, and ridiculous nationwide practice alarms.

Leo A. Hoegh was the Administrator of Civil Defense in this Nation under the Eisenhower administration. He was appointed to the position at a salary of \$25,000 per annum, after the voters of his State of Iowa did not think enough of his service in a \$12,000 per annum position to reelect him for a second term as Governor. During his tenure as head of OCDM he taught learnedly around the country—or he simulated

knowledge, anyway—about survival, frightening citizens in regard to the situation. Of course, he is not feeding at the public trough now, since January 20. He is in civil life.

Mr. President, Leo A. Hoegh, the former Administrator of Civil Defense, is not drawing unemployment compensation. No one need to worry about him. We could say, "Scare 'em and then sell 'em," because he has been made the vice president of a corporation in Outer Chicago, which makes fallout shelters for Federal buildings and other buildings. Incidentally, Mr. Hoegh has been placed in charge of the civil defense shelter program, and is selling those shelters.

In my home city of Cleveland, we need a new Federal building. We hope it will be constructed. It may cost the taxpayers \$40 million. The building is needed to house all our agencies. In the construction of this building—I do not know whether Mr. Hoegh's firm expects to get the contract for such construction or not—it is contemplated there will be an air raid shelter installed. Mr. President, it is expected that will cost 5 percent of the total cost of the Federal building; in other words, approximately \$2 million of the \$40 million, for an utterly useless air raid shelter.

As conducted in the past, Mr. President, the Civil Defense Agency has led Americans astray on the dangers of nuclear war and its terrible aftermath. OCDM officials have given Americans only one security—the security of ignorance of the potential horrors of nuclear war.

Philip Wylie explains these horrors and why no civil defense can cope with them in an article in a recent issue of the Rotarian magazine.

I ask unanimous consent to have this article printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

(By Philip Wylie)

This article is written in the hope that its appalling assertions will help intelligent men, everywhere, to reach the heartening conclusion I have reached. But before any optimism can be expressed, my informed and long-standing opinion about the effect of an all-out war needs to be understood.

When in 1949 the President of the United States formed a Federal Civil Defense Administration, I was asked by its just appointed head to serve as an expert consultant. The invitation came owing to my accurate prewar discussions of the then forseen (by nuclear physicists and knowledgeable laymen) A-bomb, and owing to my postwar publication of an essay accurately describing the major problems that would be faced by A-bombed civilians in the United States.

I served FCDA through President Truman's administration and many years of President Eisenhower's. In the days when the United States and the U.S.S.R. were stockpiling mere A-bombs, and before anyone possessed practical hydrogen bombs, I felt certain that in any nuclear war the nation best ready to bear such horrific assault on its civilian front would win the war. In near despair at the apathy of the average citizen of the United States to that threat, I even wrote a novel, "Tomorrow," in which I tried to show what everyone in the United

States needed to know, and had to be able to do, to win an A-bomb fight.

With the independent creation of practical H-bombs in the United States and the U.S.S.R., however, I became certain that an all-out engagement with such weapons would create conditions in cities, towns, the countryside, and elsewhere for which no plan—whether of city evacuation, shelters, early-warning-radar lines, or anything else—would be of value. Information about H-weapons' effects, available to anybody who is willing to dig it up and can understand it, led me to these conclusions:

First, an all-out war, with the megaton fission-fusion-fission weapons now possessed in numbers by the United States and the U.S.S.R. would bring about the eventual slaughter of nine-tenths or more of all the people who live in the North Temperate Zone.

Second, the above discernible fact is not considered—certainly not sufficiently considered—by civil-defense planners who tend constantly to ignore all H-weapons' effects save those which will set up an admittedly great havoc, but a havoc with which the presumed survivors can "cope."

Factors which are certain to occur but for which nobody can imagine a solution were and are still being evaded by well-intentioned leaders who cannot grasp them and who seem to me to be blocked, mentally, on a special precondition where H-war is concerned. This is a belief almost as absolute as a religious faith that they and the rest of the people of the land must have a chance to win any war—whatever the megatonnage of weapons used against it, whatever their numbers, and however swiftly they are missile delivered.

It is not my intent to blame any person or group of people for their adamant grip on that illusion. To lose it is to realize that national power in the classic sense is without meaning, that military victory is no longer achievable, that the professional military man exists only so long as he never puts to use his best weapons, and that the world encroachments of the imperial Soviets and the Red Chinese can be stopped only by other means than the use of armed might. For many persons, such realizations are, simply, unacceptable. Their minds cannot, in other words, move into the H-bomb age and operate usefully.

As a result, investigation of various civil defense ideas which, I feel sure, are unrealistic continues. To understand their uselessness one must understand at least a few of the effects of an all-out war which are not today widely known or much mentioned. I shall here list only four examples of such "overlooked" facts.

First, all civil defense programs are based on the assumption that there would be one H-bomb assault only. Thereafter, people who by luck or owing to prepared shelters survived the devastation would be able, in about 2 weeks, to emerge from their shelters and begin the business of decontamination, of finding uncontaminated water and food, of human rescue, and the like.

The fallacy in that—major—supposition is plain. For even if all the citizens had suitable and suitably stocked bomb shelters, what earthly reason is there to imagine that a determined enemy with a huge stockpile of nuclear weapons would limit his attacks to one? Indeed, as bases harden and increasing numbers of missiles with H-warheads are set underground in preaimed rock tubes, the certainty increases that any combatant nation in such a murderous war would be prepared to launch a series of attacks, at intervals of days, weeks, and months—so that a rational program, owing to that one datum, should require shelters equipped to feed, provide water for, and pump filtered air to their inhabitants for months.

But again, such a program is not feasible. An inevitable result of hits, near misses, and even quite distant misses of H-bombs, where large cities are concerned, would be firestorm. In World War II, with mere incendiary weapons, the air forces of the allied nations caused such a phenomenon in Hamburg. So many small fires were set that soon they annunciated into one gigantic pillar of miles-high flame. Everything combustible in a city (or cities wrecked by H-bombs exploding miles from their centers) would feed the whole-city firestorm. Winds of hurricane velocity would rush from all peripheral areas to feed the flame. Trucks, cars, fire apparatus, would be sucked into the vortex from its edges. And most cogently, such firestorms would either roast alive all persons in the shelters under them, or smother them by exhausting the air from every subterranean tunnel, nook, shelter, basement, vault, and cranny beneath the colossal blaze—usually replacing the fire-consumed air with superheated carbon monoxide and carbon dioxide.

Shelters beneath firestorms would be death traps. And the 300-square-mile range that an average H-bomb would wreck ensures the igniting of enough fires to create the phenomenon of firestorm in any one of the world's near-uniformly inflammable cities. True, fires directly set by the heat that a nuclear weapon radiates may be blown out by the ensuing blast wave. But that same wave would crumple enough skyscrapers, gas-storage tanks, filling stations, and homes as gas mains erupted to ignite the great fire that make a city shelter, however sturdy or deep, the last place any informed person would want to be—and be caught dead—in.

It was recognized, a decade ago, that the evacuation of any fair-sized city by vehicles of every sort, even with hours of warning, would lead to disaster. Frightened drivers, poor drivers, hounded by the certainty of oncoming hell, would soon wreck so many vehicles that all exit roads would be blocked solidly. The current suggestions for shelter building are based on the realization that cities cannot be emptied under panicky conditions. Nevertheless, the main exit routes from major cities are still marked as "reserved" for military and civil-defense use in emergency times. That (again) is an example of nonthink. For, if "the siren blew," who really imagines that a frantic populace would abide by mere signs—and leave open the best escape routes from any city? What route, for example, would be taken by the myriads who have homes along these roads and streets?

But in this matter of taking shelter or getting out in time, a different fact, always known and never, to my recollection, faced squarely, would create such a hideous situation that no program could be imagined which would control it. That fact has been documented by tests made during nuclear-bomb explosions on animals with vision comparable to our own. Granting clear weather, the explosion of a medium-sized H-weapon, day or night, would cause all persons indoors or out within view of the fireball, to look at it, by uncontrollable reflex. And such people, seeing the fireball bloom into glaring reality, whether in an air or ground burst, would be made blind instantly, even at distances of 40 miles from the explosion. Sudden light, thousands of times brighter than the sun, would make them turn around to see the source. They would have several seconds to do that before they felt heat or blast and even if they were too distant to feel either. And that instinctive glance would burn their retinas so that they would be sightless.

These unguessable scores of thousands in and around cities, walking, driving cars, and buses, and trucks, piloting commercial planes, driving locomotives, farming, shopping, whatever, would, after one glance, be

helpless. Their cars, trucks, trains, and planes would smash. People in the countryside would be unable even to find their way home. And even cloudy weather would merely lessen the area where an H-bomb would blind (even if it did not otherwise harm), the people able to see the fireball—an area, in clear weather, on the order of 5,000 square miles per shot.

Nobody, as I implied, has come forward with any suggestion about how to handle the millions of people who would be abruptly and permanently made blind by a massive H-attack. And nobody has tried to calculate how the chaos created by vehicles driven by and peopled with blind human beings could be dealt with.

Repeated attack, firestorm, and the instant blinding of unwarned (or psychologically unreadied) myriads, are three sure effects to be expected in all-out war. A fourth rises from radioactive fallout. The public of several countries has some concept of certain fallout perils. Civil-defense officials have patiently explained that the radioactive particles which rain from an H-bomb on the elliptical region downwind ellipse of the burst, where high altitude winds are considered, not ground wind—are of deadly peril over vast areas. Two feet of earth are needed as a shield to keep people in the fallout area safe from the intense radiation that would blanket everything in a few hours or less, and for a week or two.

The same officials, however, point out that radioactive isotopes (the lethal-ray-carrying particles of fallout) "decay" rapidly in most cases. In an (average) downwind fallout area where during the first day after the H-shot 15 minutes of surface exposure would give anybody a lethal dose of radiation after a couple of weeks, a person might take an exposure of many days' time without getting radiation enough to become ill. The downwind radioactive area following the burst of a medium-caliber H-weapon will have an area of from 5,000 to 10,000 square miles.

However, the above picture, horrible as it is, does not take into account many further possible or even certain fallout effects. If, for example, attack follows attack, huge areas might become so hot that movement upon them would be impossible for months. Again, since very few citizens of my Nation—or any other—have the instruments and the know-how to measure radiation intensity, survivors of the initial blast, the firestorm, the blinding, the direct radiation, and the heat of H-weapons would have no means of knowing the radiation level in their surroundings.

This ignorance means that multitudes of persons who survived the first day after an H-burst in their area would, owing to some extreme need (like need of a doctor for a beloved, badly hurt person—of water for thirsty children—or of someone to help with the delivery of a baby—and so on), run their errands at the cost of their lives—experience agonizing death days or weeks later.

On the other hand, the problem of first aid, medical aid, succor of all sorts, for the multitudes who would run or drive out of what they know (or imagine) to be a hot area cannot be faced honestly either. Multitudes in thousands of square miles around an H-weapons burst (with undoubtedly a day-and-night pillar of miles-high flame betokening a city in firestorm and with a sky swept by the awesome, rainbow hues of post-blast activity) would be in absolute panic and ruled by a naked instinct for self-preservation. People alive, unhurt, and outside radiation-poisoned regions would not greet with kindness men and women and children arriving on foot or in cars, trucks, or buses from anywhere else. Everybody in vast regions will be filled with the dread that anybody from anywhere else may be, in person, radioactive, or that the vehicle such aid-

needing strangers are driving is itself a hot carrier of invisible death.

Enough has been told in magazines and newspapers about the universal shunning of one family accidentally exposed to radiation—but a family guaranteed by scientists as safe for association—to make the general reaction to fallout predictable. The harmless family was avoided like plague-stricken people.

But the ultimate, and worse, fact of fallout is still another—and, again, an unresolved, unresolvable—horror.

Rains would bring increased loads of hot material onto the land, and rains would wash it down watersheds. Radioactive elements would thus concentrate on farms, in pastures, in rivers, and in reservoirs. Moreover, as time passed—as years passed—various micro-organisms, some algae, certain plants, and, through them, soon insects and animals would build up increased, internal stores of radioactive substances. Certain of the minute living things that are the base of the whole, great chain of life that ends in man, and on which man depends to survive, concentrate radioactive material 100,000 times as heavily as it is concentrated in the water or land around them. That order of concentration would be passed upward to man. In sum, while the radioactivity in a fallout area might soon decrease to a harmless amount, the chain of life in that same area would be concentrating that residue, so that the animals and vegetables we eat would grow "hotter"—or fail to mature—while fish and birds would vanish in an annual series of ever-more-sterile hatches.

This last effect—the ecological result of H-war—means that a heavily H-bombed nation would remain a death chamber for man for decades.

Many additional results of H-warfare could be cited to prove that survival is impossible for a nation, for even any considerable minority of a nation, or for nations caught between combatants. American military men have openly given the U.S. Congress an estimate that a first H-bomb assault on the U.S.S.R. would eventually kill most of the people in the Soviet Union, Siberia included, and a high percentage of people in Japan as well, perhaps, as in the Philippines. Any Soviet assault on the United States would have comparable results, whatever precautions the people of the United States had taken. And the nature and history of mankind at war strongly suggests that, after any such initial assault, both sides would be driven into a frenzy so savage that the H-bombing would go on until the last person with a bomb to "deliver" had delivered it on the enemy—even if he had to do it by running the weapon up a bay in a pleasure cruiser and going up, himself, with its detonation.

The U.S.S.R. and the United States know all the foregoing. So do the military men in command of H-weapons and A-weapons. And the U.S.S.R. no more than the United States or any other power wishes to commit suicide in order to wipe out an antagonist.

For such reasons, I concluded with certainty, many years ago, that there would never be an H-war or an A-war. The people of the United States of America and the other bomb-possessing nations have reached an absolute stalemate of unforeseeable but long duration that will never be terminated by holocaust. The differences between free-men and Communist or Communist-dominated peoples will have to be fought out in nonmilitary ways. The Reds will use every stratagem of bluff, of rocket rattling, of the subversion of other peoples, of infiltration, of dishonest propaganda, of economic conquest and means limitlessly amoral and indecent to win the world to communism. The free world has liberty to offer—equality, if it will—and a system of being and doing that has made its citizens the most healthy, comfortable, and physically able in history.

If the free nations can perform an honorable and peaceful winning over (by education, by loans, by private investment, by personal contact) of the uncommitted peoples, they can eventually destroy the Red chance to create a Red world. If we freemen fall the world, we shall eventually lose our own liberties and become slaves, too. That—not H-war survival—is the challenge of the future. And it is my belief freemen will eventually understand that truth and meet its challenge.

As long as we continue to think, mistakenly, that we can engage in, and win, an all-out war, we shall fail to fight properly the only real war in which we and our children and, probably, theirs will be embattled—the so-called war for men's minds.

The Communists have stated their design consistently for 40 and more years—and made appalling gains. They want to subvert, or convert, or somehow take over enough nations and races so that they will be able to deny to the remaining free capitalist nations the hundreds of minerals and raw materials those nations cannot mine or grow or make substitutes for inside their own borders. If we let the Reds achieve that aim, they can deny us hundreds of materials needed to keep our production lines going and our living standard rising. Driven back on our own internal resources, all of us in the free nations would soon revert to an economy of about George Washington's time. Then we'd surrender bit by bit.

Such is the real battle—with mainland China and a dozen other whole nations already lost. We can fight back effectively only by such means as freemen use—by education, by economic aid, by personal contact, by practicing that equality which the currently uncommitted peoples (whom we must win to our side) see we do not now practice, and by meeting the best and biggest challenge of all—the challenge to the once bold and imaginative use of venture capital that once characterized free-world capitalists who, today, fear to venture money in willing, alien lands, and instead take in each other's laundry, timidly.

Perhaps when we can see no martial victory is possible, we shall then make so mighty a free and peaceful "war" as to gain back for the world the peace and freedom it yearns to own. That—not how to take quivering shelter when the bombs fall—is the battle which will rage, whether freemen fight back or not till freedom's gone, or victorious.

The opportunity it represents is free-world-sized; the challenge, just right for our capacity and strength to lead. But we must first realize what's required to win this fight. Those who call foreign loans giveaways are losing for our side. The unventuresome capitalists who fear to let out their money to strange and yet progressing people are losing. The free man who is unwilling to associate with newly independent but alien people is losing. And all of us have to realize this:

No living man can desire to be free until he is first sure he is equal. A man would rather feel the equal of his fellows and endure tyranny than find himself politically free but in every other way regarded as a second-class person. If the citizens of North America and of Europe and Latin America and free Asia join in the great adventure of educating the unenslaved world about the dignity and productivity that liberty, alone, ensures, the war ahead will get to be man's greatest venture, adventure—and fun.

Anybody not in it already can sign up for myriad duties. Meantime people who hang back with the notion that, no matter what, some crazy "accident" will start the H-bombs flying are worrying over nothing. For that's what any such all-out engagement would make them: nothing . . . unless they live south of the equator. So why worry about

a war that would merely dissolve us all in a short time when such a tremendous, and exciting, conflict stands ready made, to be lost or won by us—that is, by you.

U.S. FOREIGN INFORMATION PROGRAM

Mr. MUNDT. Mr. President, too often the American public is not aware of the tremendous amount of effort which certain private citizens give in their role of advisory commissioners to Government agencies. These dedicated men and women study the operations of programs of Government agencies, make reports and recommendations, and generally contribute to the improvement and growth of the programs.

As coauthor of the so-called Smith-Mundt Act, Public Law 402, 80th Congress, which provides for a program of exchange of persons and for our overseas information program, better known as the Voice of America, I am grateful for the hard work and tremendous contributions made by the Advisory Commission on Information.

Members of this Commission are Mark A. May, Chairman, professor emeritus of psychology of Yale University; Erwin D. Canham, editor, the Christian Science Monitor; Lewis W. Douglas, former Ambassador to Great Britain; Sigurd S. Larmon, chairman of the board of Young & Rubicam, Inc.; and Philip D. Reed, former chairman of the board, General Electric.

This Commission has just filed its 16th report. As usual, it is filled with practical suggestions for improving our overseas information program.

For instance, the Commission has recommended that, in the interests of greater economy and efficiency, the United States should consolidate its foreign information, general education, and cultural programs in one independent agency whose director would have direct access to the President, attend Cabinet meetings, and participate in the deliberations of the National Security Council.

I was particularly interested in this recommendation because it is similar to proposals which I have been making for some years. I hope that further study will be given to the idea. I think it is worthwhile because I think it is practical.

Further, in this report, the Commission points out that we should avoid extremes in dealing with the U.S. Information Agency. The report points out that simply expanding the international public relations effort without doing the necessary work of coordination and consolidation, and undertaking to improve the quality of our information, will not offer a panacea.

In addition, the Commission states—very wisely—that we should avoid the extreme view that our Government should eliminate our overseas information activities.

Mr. President, many citizens interested in cultural relations, information, and public relations are also interested in this activity which our Government undertakes to bring facts about America to people who live in other countries. I

am sure that more people will become interested in our international information program if they read the recommendations of the Advisory Commission. For that reason, and for the reasons which I stated before, I ask permission to insert in the body of the RECORD a portion of the report which was filed on February 13, 1961, by the U.S. Advisory Commission on Information. I again want to offer my appreciation to the members of that Commission for the splendid work they have continued to do in this field.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

I. THE PURPOSES OF USIA

In previous communications to the Congress, this Commission has identified four functions of the U.S. foreign information program. They are:

1. To counsel the executive branch on international public opinion by making available its specialized knowledge to the formulation and implementation of U.S. foreign policies.
2. To explain and interpret to people overseas the meaning and purpose of U.S. foreign policies.
3. To serve as a source of accurate, non-sensational news abroad without competing with U.S. private news sources.
4. To present the full sweep of American life and culture to the people of the world in order to correct misconceptions and to combat false or distorted pictures of the United States.

These functions illustrate the proposition that there are essentially two levels where the public relations factor enters into the consideration of U.S. foreign relations. The first is the advisory level and the other is the level of application.

On the advisory level, this Commission has expressed the view that the U.S. Information Agency's specialized capabilities and knowledge should be more utilized by officials of the Government. Top policymakers should be aware of, understand and respect the attitudes and opinions of other people without permitting these opinions to dictate the course of U.S. policies. Some policymakers possess and project this sense of awareness of other peoples and other cultures. Others have remained blind to or only dimly aware of the importance of being cognizant and considerate of other people's opinions.

This kind of awareness of our relationship with other peoples can seldom be forced upon individuals. It has to be there. Nevertheless every top policy officer, whether gifted or relatively insensitive to this factor, should have at his elbow the advice and guidance of those who are especially and exclusively concerned with the state of foreign public opinion and with the probable reactions of the world to proposed and contemplated policies. The Commission believes that U.S. policies and programs of all departments and agencies which affect our relations with other countries would be benefited through careful consideration of the type of thinking and advice on foreign public opinion that USIA can provide.

Further, it is to be hoped that USIA might enjoy greater participation in policymaking, and in the public presentation of policy, so that public reactions abroad may be considered before, rather than after, the fact.

Such counseling can prove fruitful at all levels of Government. It can be especially important at the Cabinet and National Security Council levels, and for the office of the President. The Commission believes that there should be direct communication between the President and the Director of USIA. The President should call on him for

aid in developing programs of strategic significance in the vital area of U.S. foreign relations.

When it comes to the application of a foreign information program, this Commission has stated that the strategic, commercial, and political interests of the United States require an accurate presentation and explanation of U.S. policies, objectives, and actions. Information services can perform indispensable tasks for the diplomacy of a great power. And international communications are essential in the highly revolutionary period through which we are living.

Although private enterprise and the activities of numerous private individuals and groups remain the main source of information by which foreigners judge the United States, governmentally conducted operations are essential to supplement private effort. This is especially true in countries where private channels of communication are weak, primitive, or ineffectual, or where they are controlled or otherwise interfered with, censored, or excluded.

Despite the initiative, energetic efforts and resourcefulness of private channels of communication, official foreign policy can be adequately explained abroad only through a governmental operation.

This operation must be dedicated and directed towards an eventual successful resolution of the cold war. At the same time, it must work with our historic friends, our new as well as ancient allies, and deal with the sinister plans and efforts of potential enemies.

The total U.S. communications program must, because of the magnitude of its task, direct its programs at the influential in all countries. It must also devise imaginative means of informing, attracting, and holding the interest and satisfying the curiosity of the many.

The achievement of these tasks requires personnel and media output which are of the highest order of excellence, which are reliable and honest, and which are as continuous as they can be.

Finally, the effects of these services are difficult to evaluate. They are seldom demonstrably conclusive in affecting the course of events. However by their continuous but not too obtrusive presence, they can help create climates of opinion, and develop backgrounds for subsequent policies and events. This may at times affect positively or negatively diplomatic negotiations and more often the attitudes and opinion of the average man in different parts of the world.

At this point, a word of warning is indicated. No amount or quality of propaganda, information, culture, or education can be a substitute for U.S. foreign policies or for the domestic strength and stability of our country. Simply expanding our international public relations efforts will not offer us a panacea for all our problems throughout the world. Many ardent advocates of an expanded information, cultural, and educational program have given the impression, unwittingly perhaps, that all that is necessary is to expand our facilities and media in every country in the world. Huge sums have been suggested for these programs on the assumption that increasing the quantitative factor will immediately result in improved foreign relations.

On the other hand, opponents and hostile critics of these programs have insisted that this entire activity should be reduced or completely eliminated, that it is a boondoggle, that national prestige rises only as national power increases irrespective of public relations, cultural, or educational programs, and that the problems in Cuba, the Congo, Berlin, Laos, the Sino-Soviet empire, among many, cannot be materially affected by information and cultural services.

The Commission rejects both extremes. Often too much is expected of USIA in the

short run. A policy that is right for the United States may prove unpopular abroad, and no sudden increase of effort will change the picture. The USIA should not be expected to perform short-run miracles. It cannot hope to make some policies palatable in some countries even in the long run, no matter how valid the policy, and it cannot make a bad policy palatable anywhere at any time.

Furthermore, our free and open society, combined with the vastness of our country and our geographical differences, are bound to produce conflicting opinions, which are one of our basic strengths. Yet these differences are magnified and exploited by Communists and others wishing to portray the United States in its most unfavorable light. Sensational reporting has also tended to distort the image of America and to limit the impact and acceptance of USIA activities.

Finally, the biggest limitation is simply time. People's opinions cannot be altered overnight. To change and correct inaccurate opinions about us requires steady, repetitive effort over a long period of time.

The Commission believes that the American people too often fail to understand the need for and the long-range objectives of USIA's activities.

In its previous evaluations of the program, the Commission has called attention to inadequacies and weaknesses and has made recommendations for improvement. But the Commission has also pointed out the successes and gains that have been made which strengthened our national interest, national posture, and national respect in many countries of the world. Hard evidence has been submitted to document these conclusions.

Certainly it can be agreed that there are short-term needs which USIA has met, but the major objectives are long term in nature. Avoidance of extremes in expectation—both favorable and unfavorable—will lead to a more realistic appreciation of the U.S. information program.

II. SOME RECOMMENDATIONS FOR USIA

Having reviewed the purposes of a U.S. information program, it may be helpful at this time to summarize for the new Congress and administration some of the major recommendations which have developed from the Commission's 12 years of experience with the program.

A. Consolidated agency with Cabinet status

In its 15th report to Congress, issued in April 1960, this Commission recommended the consolidation of the Government's information, cultural, and general (as distinguished from technical) educational activities into one independent agency with Cabinet status. The Commission had in mind that the Director and Agency be clothed with a high enough stature to have immediate access to the President and the members of the Cabinet. The use of "Cabinet status" in this report should be understood in this sense.

Briefly stated, the main reason for this recommendation was as follows: Information, cultural, and educational programs are all concerned with communicating with the people of other countries. Consolidation of all such foreign communications into one agency should result in more unified planning for programs which are similar in purpose and method, though this may necessarily be modified to suit the sensitivities of different countries. There should also be more efficient use of limited resources, including manpower.

These programs all require country-by-country variation, administration, and planning. They should be centrally directed and coordinated by a qualified administrator with knowledge of foreign affairs, sensitive antennae, administrative experience, and also with direct access to the President and his Cabinet.

The Commission believes that Cabinet status is needed for such combined operations. Regular attendance at Cabinet meetings by the Director of this Agency would insure greater familiarity with and access to other departments which deal with foreign affairs and with domestic issues that have foreign ramifications. It would also assure to the President direct access to the Director of USIA who would function as his chief counsel and adviser on foreign public opinion.

In addition, high stature of the Director and the Agency in the hierarchy of Government departments should help to avoid many of the contradictory statements made by personnel in the many departments of Government that either directly or indirectly are concerned with foreign affairs. These contradictory statements are a cause of confusion and perplexity among foreign governments and peoples.

Finally, high level status for the position of Director will make it possible to attract men of ability and experience who would not accept subordinate posts. And the same effect will make itself felt in the easier recruiting of able personnel at other levels of the Agency organization.

The Commission further believes that USIA should remain independent, separate from the Department of State.

The Department of State is responsible for foreign policy formulation and guidance. However, experience over the past years has proved that operations are more effectively administered, more imaginative and dynamic when separated from the policy forming agency.

Experience has also demonstrated that separation gives the Agency's program a greater chance for objectivity; it protects the non-partisan character of the program; and it makes management of the Agency more efficient.

In addition, adding a large operational program to the other duties of the Secretary of State would tend to increase unnecessarily the burdens of that office as it faced the complexities of operating a completely different far-flung service.

The important functions of the Department of State and USIA can best be achieved separately, but there should and must be an intimate relationship between the two including a planned and extensive exchange of personnel.

B. The importance of constructive and comprehensive planning

The Commission also has recommended, and wishes to repeat its recommendation, that there be improvement in the planning functions of the Agency.

There should be more adequate and more realistic forward planning to meet the opportunities and the challenges that will arise in the years ahead. This type of planning must be based on a strong research and analysis program capable of determining emerging trends throughout the world. Only by planning ahead will the United States have the personnel and the facilities, the policies and programs—that will enable it to be ready for new situations as they develop. Long range planning also will make it possible for the United States to review and modify programs as needs change and to expand where opportunities exist or the challenge is greatest.

Such forward planning should be directed both to target areas and to target groups. In Africa, in Latin America, in the Near East, south, and southeast Asia and other areas, indeed in all areas including Western Europe, the most careful planning is required if the United States is to approach the future well prepared for all contingencies.

As an example of forward planning for target groups, special programs to the youth of the world deserve consideration. The Agency already has demonstrated competence in approaching this group, but there may be a

need to focus more attention and resources on the younger generation. In many of the newer countries of the world, the emerging rulers are relatively young men and women who should be made fully acquainted with the practices and procedures of democratic societies.

Better planning can also help to improve current operations. The information, education, and cultural programs for each country should be planned and developed in unison, not as unrelated activities.

There are obviously different needs and opportunities to be planned for in different countries. For example, communications techniques and approaches have to be adapted to differing needs and literacy levels. Since the USIA is dealing with essentially scarce resources of both money and manpower, care must be taken to plan for their present use in a manner to achieve the best results.

The Commission believes that a consolidation and shifting of resources and programs from areas of lower priority to those of greater priority are needed at once, without neglecting or appearing to be indifferent to the attitudes of those who are our natural friends.

It is essential for the Agency to make careful plans and hard judgments on these matters in order to conserve available funds and personnel and to operate all programs in the most economical manner possible. Not every country requires all media or all cultural facilities or the same educational assistance. If after thorough examination and review, additional funds for expansion are necessary on the basis of critical situations and trends, the Agency should be encouraged to seek assistance from the Congress for supplemental funds and increased regular appropriations.

C. Strengthening the field structure

The integrated structure in the field whereby the public affairs officer is a responsible and responsive member of the Ambassador's country team should be retained and strengthened.

The Commission pointed out in its 15th report to Congress, and wishes to repeat, that the 1950's witnessed a change in the requirements of USIA's foreign service personnel. The emphasis today appears to be less on technical skills, more on broader education and training and the ability to communicate with foreign audiences on a direct personal basis. These are requirements for representing the United States abroad with foreign citizens from all walks of life. In the opinion of the Commission, appointments ranging from Ambassadors and Ministers to the newly recruited Foreign Service officers should consider these talents of personal communication. This may often be the most important function performed by Foreign Service information officers as a supplement to the Ambassador and his staff.

This requirement for foreign duty among information service personnel should not be taken to mean that the Ambassador, the diplomatic corps, and members of the Foreign Service are relieved of their fundamental responsibilities which (in collaboration with USIS) include not only the explanation of American policies, but the explanation of American culture and society. The Commission believes that the Ambassador in the final analysis is the most important of all the overseas personnel associated with dissemination of information about our country and the explanation of our foreign policy. It is the duty of the public affairs officer to assist him in every way in accomplishing these objectives.

In view of the importance of such collaboration and cooperation between the diplomatic corps and the USIS in the field, the Commission believes it would be an error to break up the harmonious working relationships that have developed among cul-

tural affairs officers (CAO), public affairs officers (PAO), and Ambassadors. To remove the CAO from under the jurisdiction of the PAO, as some have suggested, could not help but have a divisive effect. The attempt to separate information from culture is neither realistic nor practical. It could lead only to two sets of communications programs, unrelated to each other in operation yet overlapping in many areas of content and audience.

Neither would such a step automatically improve the caliber of our cultural representatives. There is no reason why distinguished men of cultural accomplishments may not be persuaded to serve their country abroad for a number of years without impairing the valuable day-to-day work of the regular CAO. It would be folly, however, to expect such culturally distinguished individuals to encumber themselves with the tasks of running libraries, supervising exhibits, or making arrangements for musical extravaganzas—functions which must be the responsibility of the CAO.

For these reasons the Commission believes that the proper course is not to divide the present field structure, but to strengthen and develop it.

Other recommendations made to the Agency previously by the Commission have included the following:

(a) It should remain nonpartisan in character.

(b) It should strive constantly to develop closer relations with Congress.

(c) It should be given the necessary legislative authority for a Foreign Service Corps in order to strengthen its foreign service.

(d) It should encourage the development of top executive ability and talent by selecting and training good managers for all of USIA's high level executive positions and important overseas posts.

(e) Its officers overseas should be provided with more substantial representation funds in order to defray the heavy expense incurred in the ordinary discharge of duty and public obligations.

(f) It should continue to seek more effective working relations with private enterprises which operate in international communications. It should also coordinate and integrate more effectively the President's people-to-people program with the appropriate parts of the Agency.

(g) It should emphasize and develop further those binational or multinational information activities which have been found to be most productive in achieving international understanding.

(h) It should work toward reducing the amount of rotation in overseas assignments so that experienced officers will not be pulled out of a country just as they are reaching full effectiveness.

(i) It should examine the number of and the need for requested reports, reducing paperwork where possible so that there will be more time available for productive endeavors.

(j) It should lay special stress on and support for the United Nations (U.N.) as an instrument for resolving world problems and mitigating major areas of conflict.

(k) It should be encouraged to devise special events and activities such as international meetings, exhibitions, and visitations which will provide opportunities for specific information and education programs.

(l) It should continue to play an important role at international conferences by making available its specialized communications skills, facilities, and knowledge to those who are responsible for presenting the U.S. position and purposes at these meetings.

An elaboration of most of these recommendations may be found in earlier Commission reports to Congress (see especially Nos. 7 and 12 to 15). They are itemized here in order to provide the new Congress,

the new administration, and the new Director with the accumulated experience gained from the past. They represent the considered judgment of this Commission after having observed, appraised, and reflected upon the experiences of the United States in this vital area of our foreign relations from the beginnings of the foreign information and educational programs authorized by Public Law 402 and passed by the 80th Congress, January 27, 1948.

From the above enumeration, it is clear that the many tasks that face the Agency require men and women who have character, integrity, knowledge, a variety of skills, sensitivity, personality, energy, and adaptability. It is equally clear that these are complex and difficult demands and requirements for this difficult yet important field. They require our finest talents. And those who do persevere and succeed, sometimes at the risk of life to self and family, should earn their country's gratitude and receive the plaudits of their countrymen.

In addition to its recommendations for the U.S. Information Agency, the Commission would also like to express its concern in a somewhat broader area. The foreign relations of the United States are affected by the policies, programs, statements, and activities of many departments and agencies of the Government. This multi-departmental aspect of our international relations creates problems for an information program charged with the responsibility of speaking for the United States as a whole, and with promoting better understanding of the United States among the peoples of the world.

The Commission would like to call attention to three areas where there might be improvement in the interdepartmental coordination of policies, programs, and information operations.

1. There appears to be a need for closer coordination at the executive level of statements with respect to foreign affairs issued by all Government departments. If department heads and their responsible subordinates were required to clear policy statements affecting directly or indirectly the conduct of U.S. foreign affairs before issuing them, there would be greater assurance that the U.S. Government would be speaking with one voice.

2. Domestic policies, too, often have foreign implications and are of interest to people in other countries. Closer coordination at the highest level between the Department of State, USIA, and domestic departments and agencies would provide information in advance that could prove helpful in formulating information programs which explain our policies to people overseas.

3. Effective forward planning in the information area—as in other areas—calls for the deepest, broadest possible knowledge of Communist cold war moves. Here, too, closer coordination at the top level among departments and agencies concerned with the cold war could lead to more effective information programs. And not just programs in reaction to Communist activity, but new, positive, dramatic plans and programs of our own that will move the United States still further ahead on the information offensive.

III. CONCLUSION

In summary, this 16th report to the Congress of the United States has reviewed briefly the purposes and principles of our foreign information program. The Commission has recommended certain steps which it believes will strengthen USIA, with particular emphasis in three areas.

1. The consolidation of the Government's foreign information, cultural, and general educational activities into one independent agency with high level status.

2. The need for more constructive and comprehensive planning, especially long-range planning.

3. The maintenance and strengthening of the harmonious working relationships in the field between USIS and the Ambassadors and their staffs.

In addition, the Commission has stated its belief in the need for closer coordination among the many departments and agencies of the Government whose policies, activities, and statements affect, directly or indirectly, the course of U.S. foreign affairs.

With firm support and wise guidance from the new administration, and with the continued advice and help of the Congress, this Commission is confident that the U.S. Information Agency will continue its steady progress in advancing our national interests.

Respectfully submitted.

MARK A. MAY,

Chairman.

ERWIN D. CANHAM.

LEWIS W. DOUGLAS.

SIGURD S. LARMON.

PHILIP D. REED.

RATIFICATION OF TREATY FOR ESTABLISHING ORGANIZATION FOR ECONOMIC COOPERATION AND DEVELOPMENT

Mr. HART. Mr. President, a distinguished leader of the American business community has addressed to me a letter, which he may well have addressed also to other Senators, dated February 17. The letter explains, I believe very eloquently, spoken from a background of experience, the writer's deep conviction that ratification of the Treaty for Establishing the Organization for Economic Cooperation and Development will be of great benefit to this country. He makes reference to some of the concerns that have been expressed in connection with the treaty.

I ask unanimous consent that his letter be printed in the RECORD at this point. It is from Peter R. Nehemkis, Jr., the Whirlpool Corp. of St. Joseph, Mich.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

WHIRLPOOL CORP.,

St. Joseph, Mich., February 17, 1961.

HON. PHILIP A. HART,
U.S. Senate,
Washington, D.C.

DEAR PHIL: This letter is not necessary to persuade you to vote in favor of ratification of the Treaty for Establishing the Organization for Economic Cooperation and Development. Nevertheless, I do want you to have the views of our company. We regard the OECD as an important and very promising forum for the promotion of the economic interests of the United States and of our North Atlantic partners. It can be of persuasive assistance with the more affluent members of the Atlantic community in assisting this country in redressing the imbalance in our international payment accounts.

It is a matter of national concern that greater assistance be furnished by Europe for the underdeveloped nations: OECD could accelerate this activity.

Every American business concerned with international activities, particularly business activities in Europe, is affected by the rival European trade blocs. Our Nation, as well as the business community, has a common interest in minimizing discrimination against American exports by the Common Market. OECD would be an effective force in preventing such discriminations.

Our business friends who argue the protectionist cause, it seems to me, are dis-

torting the purposes of this international body: there is no evidence whatsoever, as I am sure you will agree, that adherence to OECD will remove the historic tariff functions from the Congress and repose them with the Department of State.

With best and kindest wishes,

Very sincerely yours,

PETER H. NEHEMKIS, JR.

THE NEW YORK HARBOR STRIKE

Mr. HART. Mr. President, the gnawing, disturbing strikes which intrude on the convenience, holiday plans, and business travel of Americans understandably produce some pretty high blood pressure. I happen to be one of those inconvenienced. Yet I think it not out of order that a voice speaking a message not normally heard in connection with such concurrence be made a part of the RECORD. Therefore, I ask unanimous consent that the expression of opinion contained in an editorial in the Weekly Review of Public Affairs, known as the Commonweal of February 3, be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

A SYMBOLIC STRIKE

Everyone is glad that the New York harbor strike was settled, especially with a settlement described by Secretary of Labor Goldberg as fair, decent, and honorable.

For the 13 days that the strike lasted, the city of New York suffered increasingly serious disruption of its entire economic life, as 100,000 commuters were cut off from their jobs, and as the city's supplies of fresh food and fuel were more and more stringently curtailed. Toward the end of the strike the shutdown of the New York Central Railroad had extended its crippling effects hundreds of miles north and west, even as far as Chicago. And yet the cause of all this hardship, including the complete paralysis of two railroad systems, was a dispute over a handful of jobs by a union with a total membership of only 664.

Clearly, this was an intolerable situation, as so many commentators and editorialists have pointed out. But to say only that the situation was intolerable does not help very much in finding a solution to it.

First of all, it must be remembered that the tug strike was entirely legal and orderly, and came only after lengthy management-union negotiations in which both sides refused to yield on what they considered an all-important point. Secondly, the railroads were not, as many people seemed to believe, merely innocent bystanders in this dispute, and there was no question here of a secondary boycott. The railroads were and are the employers of the striking tug and ferry workers; they were and are management. As for the honoring of picket lines by fellow union members who are not themselves on strike, this is a fundamental of union solidarity, without which no small union could ever hope to stand up to a huge corporation.

The chief issue in the New York strike was the right of management to abolish jobs and procedures it considers unnecessary. Although the number of jobs involved here was less than 100, the railroads thought the principle at stake so important that they were willing to risk a major strike rather than to surrender what they insist is their right. The union too—and with them the railroad brotherhoods—believed that the future consequences of yielding to the railroads on this point were great enough to warrant an extension of the harbor strike to a major railroad tieup.

Thus the New York tug strike did not revolve around the 50 or 60 jobs that were technically at stake; it concerned the whole, hotly disputed issue of featherbedding in organized labor, and by extension the unsolved question of the impact of technology and automation on American society. In that sense, the tug workers' walkout was not a little strike, but a big one, bearing on what is probably the largest and most pressing problem facing the national economy.

The settlement of the strike was made possible by the agreement to hold the principal issue in abeyance until next December, when a Presidential commission headed by former Secretary of Labor Mitchell will complete an exhaustive consideration of the entire problem of work rules and featherbedding. This, by the way, is what the tug workers originally proposed, but the railroads were apparently fearful that such an agreement might suggest that they were relinquishing their right to make these decisions themselves. At any rate, the White House study which is being made represents a real hope of progress on a question which has too long been ignored or evaded.

Automation is coming, unquestionably, and the unions which are trying to block it are fighting a losing battle. But as automation will bring benefits, so too, will it bring certain costs, and the costs must be shared along with the benefits. This is primarily what the unions are fighting for. Technological advances will obviously benefit management, the skilled workers who stay on at automated plants, and in one sense, the consumer as well. But, union spokesmen ask, is the prosperity and well-being of the rest of us to be paid for solely by the suffering of the human beings whose jobs have suddenly become obsolete?

If the answer to this question is clearly no, then steps must be taken to work out the right answer—by the unions, by management, by society at large (whose problem this is), using the agency of Government. The step already taken—the commissioning of the Mitchell study group—is a good one, albeit long overdue. And if the New York strike is to have any good effects, it will be in rousing Americans to a realization of the seriousness of this problem, and of their own responsibility for the solution of it.

UNEMPLOYMENT IN MICHIGAN'S UPPER PENINSULA

Mr. HART. Mr. President, a number of cities in Michigan's Upper Peninsula look forward to additional assistance from State and Federal Government to meet the chronic unemployment situation that has affected almost all parts of the economy of this area.

On January 23 I placed in the RECORD some of the resolutions and letters I have received outlining programs being undertaken in these cities to try to combat the unemployment problem. I ask unanimous consent to have placed in the RECORD at this point in my remarks two more such communications from cities in the Upper Peninsula, one from Bessemer, in Gogebic County, and one from Alpha, in Iron County, Mich.

There being no objection, the resolutions were ordered to be printed in the RECORD, as follows:

Whereas the city of Bessemer is in dire need of economic assistance; and

Whereas the city of Bessemer in the Upper Peninsula of Michigan has been steadily losing population, declining from 4,300 in 1920 to 3,305 in 1960, while the Nation has been growing rapidly in population; and

Whereas followup studies of local high school graduates over a period of 25 years

reveal that upward of 60 percent of each graduating class leaves the city of Bessemer; and

Whereas there has been a sharp curtailment in the iron ore mining and lumbering industries; and

Whereas the average employment figure in the city of Bessemer is downward and the list of direct relief recipients and persons unemployed continues to grow; and

Whereas the basic industry of iron ore mining is importing foreign ores because of cheap labor costs and because of tax benefits given by the Federal Government and because the Federal Government has failed to recognize the need to take care of the local people as well as the foreign nations; and

Whereas the city of Bessemer would be able to develop economically by development of the vast natural resources such as iron ore, copper, and timber that are located in the area; and

Whereas a program of highway construction to further develop transportation resources into the city of Bessemer would help the economy greatly; and

Whereas the availability of natural gas would assist the local economy; and

Whereas a program of expanded vocational training for persons that have been displaced due to job demands would make available our large labor reserve for national employment or employment in service industries; and

Whereas an expanded program of research and development of mineral resources, in wood products and in the tourist industries, would make available economic opportunities; and

Whereas the Federal Government should divert and relocate defense industries for the national security of the United States; and

Whereas the people of the city of Bessemer have paid substantial amounts in income taxes to the Federal Government without receiving any direct benefits, and further, that this money received from the citizens of the city of Bessemer has been used to support and develop foreign nations to the detriment of the people of the city of Bessemer; and

Whereas there is a direct responsibility on the Congress of the United States to provide employment and work opportunities for the people of the city of Bessemer rather than the welfare programs and increased unemployment compensation programs: Now, therefore, be it

Resolved by the city council of the city of Bessemer, That they request the Congress of the United States to give their support to the proposals of the special labor, management, Government program study group headed by PAUL DOUGLAS of Illinois and that congressional action be taken to implement these recommendations; and be it further

Resolved, That the city council of the city of Bessemer request the Congress of the United States to support the Flood-Douglas bill that deals with the problems of areas of economic unemployment; and be it further

Resolved, That the city of Bessemer be given high priority in any assistance given under distressed area legislation; and be it further

Resolved, That copies of this resolution be sent to the Honorable U.S. Senators PATRICK McNAMARA, PHILIP HART, and PAUL DOUGLAS, and that copies of this resolution be also delivered to U.S. Representatives JOHN B. BENNETT and DANIEL J. FLOOD.

Attest:

EVERETT O. LAKE,
City Clerk.

PROPOSED PUBLIC WORKS PROJECTS FOR
BESSEMER, MICH., JANUARY 1961

This report, prepared by the common council, city of Bessemer, contains public works projects which could be initiated to

help alleviate the unemployment which presently exists in Bessemer.

These are all projects that have been planned for some time but because of the shortage of funds have never been started. The city of Bessemer does not employ a full time engineer, therefore, we do not have an estimated cost for the projects:

1. Water and sewer improvements:

Relocate 6-inch water main between Fourth Avenue and Yale Avenue with an 8-inch main to relieve pressure problems in the fifth ward.

Install new service lines on Yale Avenue and on streets connecting Eli and Yale Avenues.

Install water and sewer mains from Eli Avenue south to township line on the Johnson Road.

Relay sewer on Porter and Galena Streets. Improve water volume and pressure in the Jungles and Palms locations.

Install a bypassing 8-inch water main to connect existing main on Hillcrest Avenue with the reservoir on the First Bluff.

Repair retaining wall at pumphouse pond. Erect hurricane fencing around sewage disposal plant and pumphouses.

Extend water line on West Iron Street from Ethel to Massie Avenue.

2. Storm sewers and drainage ditches:

Install storm sewer on Eli Avenue, North Case Street and the east end addition.

Eliminate open drainage ditches on South State Street and Mill Street by installing culverts and to correct drainage.

Problem on East Colby Street.

3. Expansion of the cemetery.

4. Recreation and parks:

Improve the park on South Clayberg Street.

Develop the First Bluff Park and recreation area including the erection of a recreation building.

5. Citywide street improvements and develop alleys in Main Street business district.

MASTODON TOWNSHIP,
Alpha, Mich.

HON. PHILIP HART,
U.S. Senator.

DEAR SIR: Thank you for sending me a copy of the Douglas task force report. It is encouraging to know that plight of our people is being considered. We here, in the Upper Peninsula of Michigan, are definitely faced with a serious problem.

Our direct relief program has increased to a point that we must ask the State to step in. We have an industrial committee set up to explore all the possible avenues of encouraging industry to locate in the area, but a healthy market is needed before industry will expand. Our iron ore industry could take care of us if the market is good, but of course automation has taken its toll here, too, and with an expanding population other industries will be needed to absorb the labor pool. I am one of the unemployed of the steel industry, and being in the 45-50 age group find it very difficult to find stable employment, with my diversified abilities, I have been able to keep my head above water. Something must be done to encourage employment of the older age groups. We have children ready to go to college—this I feel is needed to meet the challenging future—but without a stable income it is extremely difficult. I know because my son just completed his degree at Michigan State and I have a daughter in her first year of college now. There are many more in a less fortunate position than I am in, and I am concerned about them also.

Thank you again for your attention, and would you please send me literature on legislation pertaining to long-term job opportunities, or development of local resources.

Yours sincerely,

JOSEPH A. ROSSI.

ADJOURNMENT

Mr. MANSFIELD. Mr. President, if there is no further business to come before the Senate at this time, under the order previously entered, I move that the Senate adjourn until 12 o'clock noon on Friday.

The motion was agreed to; and (at 3 o'clock and 35 minutes p.m.) the Senate adjourned, under the order previously entered, until Friday, February 24, 1961, at 12 o'clock meridian.

CONFIRMATIONS

Executive nominations confirmed by the Senate February 22, 1961:

DIPLOMATIC AND FOREIGN SERVICE TO BE AMBASSADORS

Lt. Gen. James M. Gavin, U.S. Army, retired, of Massachusetts, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to France.

David K. E. Bruce, of Maryland, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Great Britain.

Charles F. Baldwin, of the District of Columbia, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Federation of Malaya.

INTERNATIONAL COOPERATION ADMINISTRATION

Henry R. Labouisse, of Connecticut, to be Director of the International Cooperation Administration, in the Department of State.

UNITED NATIONS

Mrs. Marietta P. Tree, of New York, to be the representative of the United States of America on the Human Rights Commission of the Economic and Social Council of the United Nations.

HOUSE OF REPRESENTATIVES

WEDNESDAY, FEBRUARY 22, 1961

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

The words concerning Moses, Israel's great leader: Hebrews 11: 27: *He endured as seeing Him who is invisible.*

Almighty God, who art the Supreme Ruler of the universe, we thank Thee for this day when we are commemorating the birth and life of George Washington whom we reverently and affectionately call the "Father of his Country."

Our hearts expand with pride as we think of the moral and spiritual fiber of his character, his lofty idealism, his spirit of adventure, his fortitude in times of hardship, his skill in statesmanship and diplomacy.

We are grateful for his patriotic loyalty to those principles of righteousness and justice which inspired him to champion the cause and the rights of the oppressed colonists.

Grant that in exercising and enjoying the rights of citizenship, which we prize so highly, we may have due regard and respect for the equivalent rights of others.

Accept our gratitude above all for his humble spirit and devout faith in Thy divine providence which made him bend his knees in prayer at Valley Forge that

he might know how to carry on and direct his ways in accord with the eternal wisdom and will of God.

Hear us in the name of the Prince of Peace. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

RESIGNATION OF MEMBERS TO ATTEND UNITED STATES-CANADA INTERPARLIAMENTARY MEETING IN OTTAWA, CANADA

The Chair laid before the House the following resignations, which were read:

FEBRUARY 21, 1961.

HON. SAM RAYBURN,
Speaker, House of Representatives.

DEAR SPEAKER RAYBURN: I regret that I will be unable to attend the United States-Canada Interparliamentary Meeting in Ottawa, Canada.

Sincerely yours,

FRANK IKARD.

FEBRUARY 21, 1961.

HON. SAM RAYBURN,
*Speaker of the House,
Washington, D.C.*

DEAR MR. SPEAKER: This is to advise that I will be unable to attend the Interparliamentary Conference meeting February 22-26, 1961, in Ottawa, Canada.

Sincerely yours,

SIDNEY R. YATES.

The SPEAKER. Without objection, the resignations are accepted.
There was no objection.

APPOINTMENT OF MEMBERS OF THE U.S. DELEGATION OF THE CANADA-UNITED STATES INTERPARLIAMENTARY GROUP FOR THE MEETING IN OTTAWA, CANADA

The SPEAKER. The Chair desires to announce that pursuant to the provisions of section 1, Public Law 86-42, he did, on Tuesday, February 21, 1961, appoint as members of the U.S. delegation of the Canada-United States Interparliamentary Group for the meeting to be held in Ottawa, Canada, from February 22 to February 26, 1961, the gentleman from Massachusetts, Mr. DONOHUE, to fill the vacancy caused by the resignation of the gentleman from Illinois, Mr. YATES, and the gentleman from Illinois, Mr. MURPHY, to fill the vacancy caused by the resignation of the gentleman from Texas, Mr. IKARD.

GENERAL PERMISSION TO EXTEND REMARKS

Mr. McCORMACK. Mr. Speaker, without being considered as a precedent, I ask unanimous consent that all Members who desire to do so may have permission to extend their remarks in the CONGRESSIONAL RECORD and include extraneous matter for today only.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

GEORGE WASHINGTON'S FAREWELL ADDRESS

The SPEAKER. Pursuant to the order of the House of February 17, 1961, the Chair recognizes the gentleman from Nebraska [Mr. BEERMANN] to read George Washington's Farewell Address.

Mr. BEERMANN read the Farewell Address as follows:

To the people of the United States:

FRIENDS AND FELLOW CITIZENS: The period for a new election of a citizen to administer the executive government of the United States being not far distant, and the time actually arrived when your thoughts must be employed in designating the person who is to be clothed with that important trust, it appears to me proper, especially as it may conduce to a more distinct expression of the public voice, that I should now apprise you of the resolution I have formed, to decline being considered among the number of those, out of whom a choice is to be made.

I beg you, at the same time, to do me the justice to be assured, that this resolution has not been taken, without a strict regard to all the considerations appertaining to the relation which binds a dutiful citizen to his country; and that, in withdrawing the tender of service which silence in my situation might imply, I am influenced by no diminution of zeal for your future interest; no deficiency of grateful respect for your past kindness; but am supported by a full conviction that the step is compatible with both.

The acceptance of, and continuance hitherto in the office to which your suffrages have twice called me, have been a uniform sacrifice of inclination to the opinion of duty, and to a deference for what appeared to be your desire. I constantly hoped that it would have been much earlier in my power, consistently with motives which I was not at liberty to disregard, to return to that retirement from which I had been reluctantly drawn. The strength of my inclination to do this, previous to the last election, had even led to the preparation of an address to declare it to you; but mature reflection on the then perplexed and critical posture of our affairs with foreign nations, and the unanimous advice of persons entitled to my confidence, impelled me to abandon the idea.

I rejoice that the state of your concerns, external as well as internal, no longer renders the pursuit of inclination incompatible with the sentiment of duty or propriety; and am persuaded, whatever partiality may be retained for my services, that in the present circumstances of our country, you will not disapprove my determination to retire.

The impressions with which I first undertook the arduous trust, were explained on the proper occasion. In the discharge of this trust, I will only say that I have, with good intentions, contributed towards the organization and administration of the government, the best exertions of which a very fallible judgment was capable. Not unconscious in the outset, of the inferiority of my qualifications, experience, in my own

eyes, perhaps still more in the eyes of others, has strengthened the motives to diffidence of myself; and, every day, the increasing weight of years admonishes me more and more, that the shade of retirement is as necessary to me as it will be welcome. Satisfied that if any circumstances have given peculiar value to my services they were temporary, I have the consolation to believe that, while choice and prudence invite me to quit the political scene, patriotism does not forbid it.

In looking forward to the moment which is to terminate the career of my political life, my feelings do not permit me to suspend the deep acknowledgment of that debt of gratitude which I owe to my beloved country, for the many honors it has conferred upon me; still more for the steadfast confidence with which it has supported me; and for the opportunities I have thence enjoyed of manifesting my inviolable attachment, by services faithful and persevering, though in usefulness unequal to my zeal. If benefits have resulted to our country from these services, let it always be remembered to your praise, and as an instructive example in our annals, that under circumstances in which the passions, agitated in every direction, were liable to mislead amidst appearances sometimes dubious, vicissitudes of fortune often discouraging—in situations in which not unfrequently want of success has countenanced the spirit of criticism, the constancy of your support was the essential prop of the efforts, and a guarantee of the plans, by which they were effected. Profoundly penetrated with this idea, I shall carry it with me to my grave, as a strong incitement to unceasing vows that heaven may continue to you the choicest tokens of its beneficence—that your union and brotherly affection may be perpetual—that the free constitution, which is the work of your hands, may be sacredly maintained—that its administration in every department may be stamped with wisdom and virtue—that, in fine, the happiness of the people of these states, under the auspices of liberty, may be made complete by so careful a preservation, and so prudent a use of this blessing, as will acquire to them the glory of recommending it to the applause, the affection and adoption of every nation which is yet a stranger to it.

Here, perhaps, I ought to stop. But a solicitude for your welfare, which cannot end but with my life, and the apprehension of danger, natural to that solicitude, urge me, on an occasion like the present, to offer to your solemn contemplation, and to recommend to your frequent review, some sentiments which are the result of much reflection, of no inconsiderable observation, and which appear to me all important to the permanency of your felicity as a people. These will be offered to you with the more freedom, as you can only see in them the disinterested warnings of a parting friend, who can possibly have no personal motive to bias his counsel. Nor can I forget, as an encouragement to it, your indulgent reception of my sentiments on a former and not dissimilar occasion.

Interwoven as is the love of liberty with every ligament of your hearts, no recommendation of mine is necessary to fortify or confirm the attachment.

The unity of government which constitutes you one people, is also now dear to you. It is justly so; for it is a main pillar in the edifice of your real independence; the support of your tranquillity at home; your peace abroad; of your safety; of your prosperity; of that very liberty which you so highly prize. But as it is easy to foresee that, from different causes and from different quarters much pains will be taken, many artifices employed, to weaken in your minds the conviction of this truth, as this is the point in your political fortress against which the batteries of internal and external enemies will be most constantly and actively (though often covertly and insidiously) directed; it is of infinite moment, that you should properly estimate the immense value of your national union to your collective and individual happiness; that you should cherish a cordial, habitual, and immovable attachment to it; accustoming yourselves to think and speak of it as the palladium of your political safety and prosperity; watching for its preservation with jealous anxiety; discountenancing whatever may suggest even a suspicion that it can, in any event, be abandoned; and indignantly frowning upon the first dawning of every attempt to alienate any portion of our country from the rest, or to enfeeble the sacred ties which now link together the various parts.

For this you have every inducement of sympathy and interest. Citizens by birth, or choice, of a common country, that country has a right to concentrate your affections. The name of American, which belongs to you in your national capacity, must always exalt the just pride of patriotism, more than any appellation derived from local discriminations. With slight shades of difference, you have the same religion, manners, habits, and political principles. You have, in a common cause, fought and triumphed together; the independence and liberty you possess, are the work of joint counsels, and joint efforts, of common dangers, suffering and successes.

But these considerations, however powerfully they addressed themselves to your sensibility, are greatly outweighed by those which apply more immediately to your interest.—Here, every portion of our country finds the most commanding motives for carefully guarding and preserving the union of the whole.

The *north*, in an unrestrained intercourse with the *south*, protected by the equal laws of a common government, finds in the productions of the latter, great additional resources of maritime and commercial enterprise, and precious materials of manufacturing industry.—The *south* in the same intercourse, benefiting by the same agency of the *north*, sees its agriculture grow and its commerce expand. Turning partly into its own channels the seamen of the *north*, it finds its particular navigation invigorated; and while it contributes, in different ways, to nourish and increase the general mass of the national navigation,

it looks forward to the protection of a maritime strength, to which itself is unequally adapted. The *east*, in a like intercourse with the *west*, already finds, and in the progressive improvement of interior communications by land and water, will more and more find a valuable vent for the commodities which it brings from abroad, or manufactures at home. The *west* derives from the *east* supplies requisite to its growth and comfort—and what is perhaps of still greater consequence, it must of necessity owe the secure enjoyments of indispensable outlets for its own productions, to the weight, influence, and the future maritime strength of the Atlantic side of the Union, directed by an indissoluble community of interest as *one nation*. Any other tenure by which the *west* can hold this essential advantage, whether derived from its own separate strength; or from an apostate and unnatural connection with any foreign power, must be intrinsically precarious.

While then every part of our country thus feels an immediate and particular interest in union, all the parts combined cannot fail to find in the united mass of means and efforts, greater strength, greater resource, proportionably greater security from external danger, a less frequent interruption of their peace by foreign nations; and, what is of inestimable value, they must derive from union, an exemption from those broils and wars between themselves, which so frequently afflict neighboring countries not tied together by the same government; which their own rivalry alone would be sufficient to produce, but which opposite foreign alliances, attachments, and intrigues, would stimulate and embitter. Hence likewise, they will avoid the necessity of those overgrown military establishments, which under any form of government are inauspicious to liberty, and which are to be regarded as particularly hostile to republican liberty. In this sense it is, that your union ought to be considered as a main prop of your liberty, and that the love of the one ought to endeavor to you the preservation of the other.

These considerations speak a persuasive language to every reflecting and virtuous mind and exhibit the continuance of the union as a primary object of patriotic desire. Is there a doubt whether a common government can embrace so large a sphere? let experience solve it. To listen to mere speculation in such a case were criminal. We are authorized to hope that a proper organization of the whole, with the auxiliary agency of governments for the respective subdivisions, will afford a happy issue to the experiment. It is well worth a fair and full experiment. With such powerful and obvious motives to union, affecting all parts of our country, while experience shall not have demonstrated its impracticability, there will always be reason to distrust the patriotism of those who, in any quarter, may endeavor to weaken its hands.

In contemplating the causes which may disturb our Union, it occurs as matter of serious concern, that any ground should have been furnished for char-

acterizing parties by *geographical* discriminations,—*northern* and *southern*—*Atlantic* and *western*; whence designing men may endeavor to excite a belief that there is a real difference of local interests and views. One of the expedients of party to acquire influence within particular districts, is to misrepresent the opinions and aims of other districts. You cannot shield yourselves too much against the jealousies and heart burnings which spring from these misrepresentations; they tend to render alien to each other those who ought to be bound together by fraternal affection. The inhabitants of our western country have lately had a useful lesson on this head; they have seen, in the negotiation by the executive, and in the unanimous ratification by the senate of the treaty with Spain, and in the universal satisfaction at the event throughout the United States, a decisive proof how unfounded were the suspicions propagated among them of a policy in the general government and in the Atlantic states, unfriendly to their interests in regard to the Mississippi. They have been witnesses to the formation of two treaties, that with Great Britain and that with Spain, which secure to them everything they could desire, in respect to our foreign relations, towards confirming their prosperity. Will it not be their wisdom to rely for the preservation of these advantages on the union by which they were procured? will they not henceforth be deaf to those advisers, if such they are, who would sever them from their brethren and connect them with aliens?

To the efficacy and permanency of your Union, a government for the whole is indispensable. No alliance, however strict, between the parts can be an adequate substitute; they must inevitably experience the infractions and interruptions which all alliances, in all times, have experienced. Sensible of this momentous truth, you have improved upon your first essay, by the adoption of a constitution of government, better calculated than your former, for an intimate union, and for the efficacious management of your common concerns. This government, the offspring of our own choice, uninfluenced and unawed, adopted upon full investigation and mature deliberation, completely free in its principles, in the distribution of its powers, uniting security with energy, and maintaining within itself a provision for its own amendment, has a just claim to your confidence and your support. Respect for its authority, compliance with its laws, acquiescence in its measures, are duties enjoined by the fundamental maxims of true liberty. The basis of our political systems is the right of the people to make and to alter their constitutions of government.—But the constitution which at any time exists, until changed by an explicit and authentic act of the whole people, is sacredly obligatory upon all. The very idea of the power and the right of the people to establish government, presuppose the duty of every individual to obey the established government.

All obstructions to the execution of the laws, all combinations and associations under whatever plausible character, with the real design to direct, control, counteract, or awe the regular deliberations and action of the constituted authorities, are destructive of this fundamental principle, and of fatal tendency.—They serve to organize faction, to give it an artificial and extraordinary force, to put in the place of the delegated will of the nation the will of party, often a small but artful and enterprising minority of the community; and according to the alternate triumphs of different parties, to make the public administration the mirror of the ill concerted and incongruous projects of faction, rather than the organ of consistent and wholesome plans digested by common councils, and modified by mutual interests.

However combinations or associations of the above description may now and then answer popular ends, they are likely, in the course of time and things, to become potent engines, by which cunning, ambitious, and unprincipled men, will be enabled to subvert the power of the people, and to usurp for themselves the reins of government; destroying afterwards the very engines which have lifted them to unjust dominion.

Towards the preservation of your government and the permanency of your present happy state it is requisite, not only, that you steadily discountenance irregular opposition to its acknowledged authority, but also that you resist with care the spirit of innovation upon its principles, however specious the pretext. One method of assault may be to effect, in the forms of the constitution, alterations which will impair the energy of the system; and thus to undermine what cannot be directly overthrown. In all the changes to which you may be involved, remember that time and habit are at least as necessary to fix the true character of governments, as of other human institutions:—that experience is the surest standard by which to test the real tendency of the existing constitution of a country:—that facility in changes, upon the credit of mere hypothesis and opinion, exposes to perpetual change from the endless variety of hypothesis and opinion; and remember, especially, that for the efficient management of your common interests in a country so extensive as ours, a government of as much vigor as is consistent with the perfect security of liberty is indispensable. Liberty itself will find in such a government, with powers properly distributed and adjusted, its surest guardian. It is, indeed, little else than a name, where the government is too feeble to withstand the enterprises of faction, to confine each member of the society within the limits prescribed by the laws, and to maintain all in the secure and tranquil enjoyment of the rights of person and property.

I have already intimated to you the danger of parties in the state, with particular references to the founding them on geographical discrimination. Let me now take a more comprehensive view, and warn you in the most solemn manner against the baneful effects of the spirit of party generally.

This spirit, unfortunately, is inseparable from our nature, having its root in the strongest passions of the human mind.—It exists under different shapes in all governments, more or less stifled, controlled, or repressed; but in those of the popular form it is seen in its greatest rankness, and is truly their worst enemy.

The alternate domination of one faction over another, sharpened by the spirit of revenge natural to party dissension, which in different ages and countries has perpetrated the most horrid enormities, is itself a frightful despotism. But this leads at length to a more formal and permanent despotism. The disorders and miseries which result, gradually incline the minds of men to seek security and repose in the absolute power of an individual; and, sooner or later, the chief of some prevailing faction, more able or more fortunate than his competitors, turns this disposition to the purpose of his own elevation on the ruins of public liberty.

Without looking forward to an extremity of this kind, (which nevertheless ought not to be entirely out of sight) the common and continual mischiefs of the spirit or party are sufficient to make it the interest and duty of a wise people to discourage and restrain it.

It serves always to distract the public councils, and enfeeble the public administration. It agitates the community with ill founded jealousies and false alarms; kindles the animosity of one part against another; foment occasional riot and insurrection. It opens the door to foreign influence and corruption, which finds a facilitated access to the government itself through the channels of party passions. Thus the policy and the will of one country are subjected to the policy and will of another.

There is an opinion that parties in free countries are useful checks upon the administration of the government, and serve to keep alive the spirit of liberty. This within certain limits is probably true; and in governments of a monarchical cast, patriotism may look with indulgence, if not with favor, upon the spirit of party. But in those of the popular character, in governments purely elective, it is a spirit not to be encouraged. From their natural tendency, it is certain there will always be enough of that spirit for every salutary purpose. And there being constant danger of excess, the effort ought to be, by force of public opinion, to mitigate and assuage it. A fire not to be quenched, it demands a uniform vigilance to prevent it bursting into a flame lest instead of warming it should consume.

It is important likewise, that the habits of thinking in a free country should inspire caution in those intrusted with its administration, to confine themselves within their respective constitutional spheres, avoiding in the exercise of the powers of one department, to encroach upon another. The spirit of encroachment tends to consolidate the powers of all the departments in one, and thus to create, whatever the form of government, a real despotism. A just estimate of that love of power and proneness to abuse it which predominate in the human heart,

is sufficient to satisfy us of the truth of this position. The necessity of reciprocal checks in the exercise of political power, by dividing and distributing it into different depositories, and constituting each the guardian of the public weal against invasion of the others, has been evinced by experiments ancient and modern; some of them in our country and under our own eyes.—To preserve them must be as necessary as to institute them. If, in the opinion of the people, the distribution or modification of the constitutional powers be in any particular wrong, let it be corrected by an amendment in the way which the constitution designates.—But let there be no change by usurpation; for though this, in one instance, may be the instrument of good, it is the customary weapon by which free governments are destroyed. The precedent must always greatly overbalance in permanent evil any partial or transient benefit which the use can at any time yield.

Of all the dispositions and habits which lead to political prosperity, religion and morality are indispensable supports. In vain would that man claim the tribute of patriotism, who should labor to subvert these great pillars of human happiness, these firmest props of the duties of men and citizens. The mere politician, equally with the pious man, ought to respect and to cherish them. A volume could not trace all their connections with private and public felicity. Let it simply be asked, where is the security for property, for reputation, for life, if the sense of religious obligation desert the oaths which are the instruments of investigation in courts of justice? And let us with caution indulge the supposition that morality can be maintained without religion. Whatever may be conceded to the influence of refined education on minds of peculiar structure, reason and experience both forbid us to expect, that national morality can prevail in exclusion of religious principle.

It is substantially true, that virtue or morality is a necessary spring of popular government. The rule, indeed, extends with more or less force to every species of free government. Who that is a sincere friend to it can look with indifference upon attempts to shake the foundation of the fabric?

Promote, then, as an object of primary importance, institutions for the general diffusion of knowledge. In proportion as the structure of a government gives force to public opinion, it should be enlightened.

As a very important source of strength and security, cherish public credit. One method of preserving it is to use it as sparingly as possible, avoiding occasions of expense by cultivating peace, but remembering, also, that timely disbursements, to prepare for danger, frequently prevent much greater disbursements to repel it; avoiding likewise the accumulation of debt, not only by shunning occasions of expense, but by vigorous exertions, in time of peace, to discharge the debts which unavoidable wars may have occasioned, not ungenerously throwing upon posterity the burden which we ourselves ought to bear. The execution of these maxims belongs to your repre-

sentatives, but it is necessary that public opinions should cooperate. To facilitate to them the performance of their duty, it is essential that you should practically bear in mind, that towards the payment of debts there must be revenue; that to have revenue there must be taxes, that no taxes can be devised which are not more or less inconvenient and unpleasant; that the intrinsic embarrassment inseparable from the selection of the proper object (which is always a choice of difficulties), ought to be a decisive motive for a candid construction of the conduct of the government in making it, and for a spirit of acquiescence in the measures for obtaining revenue, which the public exigencies may at any time dictate.

Observe good faith and justice towards all nations; cultivate peace and harmony with all. Religion and morality enjoin this conduct, and can it be that good policy does not equally enjoin it? It will be worthy of a free, enlightened, and, at no distant period, a great nation, to give to mankind the magnanimous and too novel example of a people always guided by an exalted justice and benevolence. Who can doubt but, in the course of time and things, the fruits of such a plan would richly repay any temporary advantages which might be lost by a steady adherence to it; can it be that Providence has not connected the permanent felicity of a nation with its virtue? The experiment, at least is recommended by every sentiment which ennobles human nature. Alas! is it rendered impossible by its vices?

In the execution of such a plan, nothing is more essential than that permanent, inveterate antipathies against particular nations and passionate attachments for others, should be excluded; and that in place of them, just and amicable feelings towards all should be cultivated. The nation which indulges towards another an habitual hatred, or an habitual fondness, is in some degree a slave. It is a slave to its animosity or to its affection, either of which is sufficient to lead it astray from its duty and its interest. Antipathy in one nation against another disposes each more readily to offer insult and injury, to lay hold of slight causes of umbrage, and to be haughty and intractable when accidental or trifling occasions of dispute occur. Hence, frequent collisions, obstinate, envenomed, and bloody contests. The nation, prompted by ill will and resentment, sometimes impels to war the government, contrary to the best calculations of policy. The government sometimes participates in the national propensity, and adopts through passion what reason would reject; at other times, it makes the animosity of the nation subservient to projects of hostility, instigated by pride, ambition, and other sinister and pernicious motives. The peace often, sometimes perhaps the liberty of nations, has been the victim.

So likewise, a passionate attachment of one nation for another produces a variety of evils. Sympathy for the favorite nation, facilitating the illusion of an imaginary common interest in cases where no real common interest exists,

and infusing into one the enmities of the other, betrays the former into a participation in the quarrels and wars of the latter, without adequate inducements or justifications. It leads also to concessions, to the favorite nation, of privileges denied to others, which is apt doubly to injure the nation making the concessions, by unnecessary parting with what ought to have been retained, and by exciting jealousy, ill will, and a disposition to retaliate in the parties from whom equal privileges are withheld; and it gives to ambitious, corrupted or deluded citizens who devote themselves to the favorite nation, facility to betray or sacrifice the interests of their own country, without odium, sometimes even with popularity; gilding with the appearances of a virtuous sense of obligation, a commendable deference for public opinion, or a laudable zeal for public good, the base or foolish compliances of ambition, corruption, or infatuation.

As avenues to foreign influence in innumerable ways, such attachments are particularly alarming to the truly enlightened and independent patriot. How many opportunities do they afford to tamper with domestic factions, to practice the arts of seduction, to mislead public opinion, to influence or awe the public councils!—Such an attachment of a small or weak, towards a great and powerful nation, dooms the former to be the satellite of the latter.

Against the insidious wiles of foreign influence, (I conjure you to believe me fellow citizens,) the jealousy of a free people ought to be constantly awake; since history and experience prove, that foreign influence is one of the most baneful foes of republican government. But that jealousy, to be useful, must be impartial, else it becomes the instrument of the very influence to be avoided, instead of a defense against it. Excessive partiality for one foreign nation and excessive dislike for another, cause those whom they actuate to see danger only on one side, and serve to veil and even second the arts of influence on the other. Real patriots, who may resist the intrigues of the favorite, are liable to become suspected and odious; while its tools and dupes usurp the applause and confidence of the people, to surrender their interest.

The great rule of conduct for us, in regard to foreign nations, is, in extending our commercial relations, to have with them as little political connection as possible. So far as we have already formed engagements, let them be fulfilled with perfect good faith:—Here let us stop.

Europe has a set of primary interests, which to us have none, or a very remote relation. Hence, she must be engaged in frequent controversies, the causes of which are essentially foreign to our concerns. Hence, therefore, it must be unwise in us to implicate ourselves, by artificial ties, in the ordinary vicissitudes of her politics, or the ordinary combinations and collusions of her friendships or enmities.

Our detached and distant situation invites and enables us to pursue a dif-

ferent course. If we remain one people, under an efficient government, the period is not far off when we may defy material injury from external annoyance; when we may take such an attitude as will cause the neutrality we may at any time resolve upon, to be scrupulously respected; when belligerent nations, under the impossibility of making acquisitions upon us, will not lightly hazard the giving us provocation, when we may choose peace or war, as our interest, guided by justice, shall counsel.

Why forego the advantages of so peculiar a situation? Why quit our own to stand upon foreign ground? Why, by interweaving our destiny with that of any part of Europe, entangle our peace and prosperity in the toils of European ambition, rivalry, interest, humor, or caprice?

It is our true policy to steer clear of permanent alliance with any portion of the foreign world; so far, I mean, as we are now at liberty to do it; for let me not be understood as capable of patronizing infidelity to existing engagements. I hold the maxim no less applicable to public than private affairs, that honesty is always the best policy. I repeat it, therefore, let those engagements be observed in their genuine sense. But in my opinion, it is unnecessary, and would be unwise to extend them.

Taking care always to keep ourselves by suitable establishments, on a respectable defensive posture, we may safely trust to temporary alliances for extraordinary emergencies.

Harmony, and a liberal intercourse with all nations, are recommended by policy, humanity, and interest. But even our commercial policy should hold an equal and impartial hand; neither seeking nor granting exclusive favors or preferences; consulting the natural course of things; diffusing and diversifying by gentle means the streams of commerce, but forcing nothing; establishing with powers so disposed, in order to give trade a stable course, to define the rights of our merchants, and to enable the government to support them, conventional rules of intercourse, the best that present circumstances and mutual opinion will permit, but temporary, and liable to be from time to time abandoned or varied as experience and circumstances shall dictate; constantly keeping in view, that it is folly in one nation to look for disinterested favors from another; that it must pay with a portion of its independence for whatever it may accept under that character; that by such acceptance, it may place itself in the condition of having given equivalents for nominal favors, and yet of being reproached with ingratitude for not giving more. There can be no greater error than to expect, or calculate upon real favors from nation to nation. It is an illusion which experience must cure, which a just pride ought to discard.

In offering to you my countrymen, these counsels of an old and affectionate friend, I dare not hope they will make the strong and lasting impression I could wish; that they will control the usual current of the passions, or prevent our nation from running the course

which has hitherto marked the destiny of nations, but if I may even flatter myself that they may be productive of some partial benefit, some occasional good; that they may now and then recur to moderate the fury of party spirit, to warn against the mischiefs of foreign intrigue, to guard against the impostures of pretended patriotism; this hope will be a full recompense for the solicitude for your welfare by which they have been dictated.

How far, in the discharge of my official duties, I have been guided by the principles which have been delineated, the public records and other evidences of my conduct must witness to you and to the world. To myself, the assurance of my own conscience is, that I have, at least, believed myself to be guided by them.

In relation to the still subsisting war in Europe; my proclamation of the 22d of April, 1793, is the index to my plan. Sanctioned by your approving voice, and by that of your representatives in both houses of congress, the spirit of that measure has continually governed me, uninfluenced by any attempts to deter or divert me from it.

After deliberate examination, with the aid of the best lights I could obtain, I was well satisfied that our country, under all the circumstances of the case, had a right to take, and was bound in duty and interest, to take a neutral position. Having taken it, I determined, as far as should depend upon me, to maintain it with moderation, perseverance and firmness.

The considerations which respect the right to hold this conduct, it is not necessary on this occasion to detail. I will only observe that, according to my understanding of the matter, that right, so far from being denied by any of the belligerent powers, has been virtually admitted by all.

The duty of holding a neutral conduct may be inferred, without any thing more, from the obligation which justice and humanity impose on every nation, in cases in which it is free to act, to maintain inviolate the relations of peace and amity towards other nations.

The inducements of interest for observing that conduct will best be referred to your own reflections and experience. With me a predominant motive has been to endeavor to gain time to our country to settle and mature its yet recent institutions, and to progress, without interruption, to that degree of strength, and consistency which is necessary to give it, humanly speaking, the command of its own fortunes.

Though in reviewing the incidents of my administration, I am unconscious of intentional error, I am nevertheless too sensible of my defects not to think it probable that I may have committed many errors. Whatever they may be, I fervently beseech the Almighty to avert or mitigate the evils to which they may tend. I shall also carry with me the hope that my country will never cease to view them with indulgence; and that, after forty-five years of my life dedicated to its service, with an upright zeal, the faults of incompetent abilities will be consigned to oblivion, as myself must soon be to the mansions of rest.

Relying on its kindness in this as in other things, and actuated by that fervent love towards it, which is so natural to a man who views in it the native soil of himself and his progenitors for several generations; I anticipate with pleasing expectation that retreat in which I promise myself to realize without alloy, the sweet enjoyment of partaking, in the midst of my fellow citizens, the benign influence of good laws under a free government—the ever favorite object of my heart, and the happy reward, as I trust, of our mutual cares, labors and dangers.

GEO. WASHINGTON.

UNITED STATES,
17th September, 1796.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. STRATTON on account of official business to attend the United States-Canadian Interparliamentary Group meeting in Ottawa, Canada, on the part of the House.

ADJOURNMENT

Mr. ALBERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 51 minutes p.m.) the House adjourned until tomorrow, Thursday, February 23, 1961, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

595. A communication from the President of the United States, transmitting a draft of a proposed bill entitled "A bill to amend the Mutual Defense Assistance Control Act of 1951"; to the Committee on Foreign Affairs.

596. A letter from the Acting Secretary of the Treasury, transmitting a report covering the progress made in liquidating the assets of the former Reconstruction Finance Corporation for the quarterly period ending December 31, 1960, pursuant to the Reconstruction Finance Corporation Liquidation Act, as amended (67 Stat. 230), and Reorganization Plan No. 1 of 1957 (22 F.R. 4633); to the Committee on Banking and Currency.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SMITH of Virginia: Committee on Rules. House Resolution 98. Resolution authorizing the Committee on Merchant Marine and Fisheries to conduct certain studies and investigations; without amendment (Rept. No. 20). Referred to the House Calendar.

Mr. SMITH of Virginia: Committee on Rules. House Resolution 92. Resolution to authorize the Committee on Interior and Insular Affairs to make investigations into any matter within its jurisdiction, and for other purposes; without amendment (Rept. No. 21). Referred to the House Calendar.

Mr. SMITH of Virginia: Committee on Rules. House Resolution 55. Resolution to

authorize the Committee on Science and Astronautics to conduct studies and investigations and make inquiries with respect to aeronautical and other scientific research and development and outer space; without amendment (Rept. No. 22). Referred to the House Calendar.

Mr. SMITH of Virginia: Committee on Rules. House Resolution 141. Resolution authorizing the Committee on Education and Labor to conduct certain studies and investigations coming within its jurisdiction; with amendment (Rept. No. 23). Referred to the House Calendar.

Mr. SMITH of Virginia: Committee on Rules. House Joint Resolution 155. Joint resolution to create a joint committee to commemorate the 100th anniversary of the first inaugural of Abraham Lincoln; with amendment (Rept. No. 24). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ASPINALL:

H.R. 4721. A bill to amend the act of July 3, 1952, and thus to expand and extend the saline water conversion program being conducted by the Secretary of the Interior; to the Committee on Interior and Insular Affairs.

By Mr. ADDONIZIO:

H.R. 4722. A bill to amend title I of the Housing Act of 1949 with respect to the limitation upon the amount of capital grants which may be made for projects under the slum clearance and urban renewal program in predominantly nonresidential areas which are being redeveloped for predominantly nonresidential uses; to the Committee on Banking and Currency.

By Mr. BARRY:

H.R. 4723. A bill to amend section 203 of the Federal Property and Administrative Services Act of 1949 to authorize the donation of surplus property to volunteer life-saving corps; to the Committee on Government Operations.

H.R. 4724. A bill to provide that surplus personal property of the United States may be donated to the States for the promotion of fish and wildlife management activities, and for other purposes; to the Committee on Government Operations.

H.R. 4725. A bill to amend title 23 of the United States Code relating to highways, in order to permit States having toll and free roads, bridges, and tunnels designated as part of the National System of Interstate and Defense Highways to designate other routes for inclusion in the Interstate System; to the Committee on Public Works.

By Mr. BATES:

H.R. 4726. A bill to provide for the advancement on the retired list of certain medical officers of the uniformed services who have served as Surgeons General for 5 or more years; to the Committee on Armed Services.

By Mr. BREEDING:

H.R. 4727. A bill to amend title 38, United States Code, to provide for the payment of pensions to veterans of World War I; to the Committee on Veterans' Affairs.

By Mr. COOLEY:

H.R. 4728. A bill to amend title I of the Agricultural Trade Development and Assistance Act of 1954; to the Committee on Agriculture.

By Mr. CURTIN:

H.R. 4729. A bill to create a U.S. Academy of Foreign Service, to the Committee on Foreign Affairs.

By Mr. CURTIS of Massachusetts:

H.R. 4730. A bill to amend the Postal Field Service Compensation Act of 1955 to extend to substitute postal employees the provisions

of such act relating to overtime and holiday pay, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 4731. A bill to provide for a program of Federal matching grants to the States to enable the States to provide health insurance for individuals aged 65 or over at subscription charges such individuals can pay; to the Committee on Ways and Means.

By Mr. DAVIS of Tennessee:

H.R. 4732. A bill to repeal the excise tax on amounts paid for communication services or facilities; to the Committee on Ways and Means.

By Mr. DERWINSKI:

H.R. 4733. A bill to make Abraham Lincoln's Birthday a holiday in the District of Columbia; to the Committee on the District of Columbia.

H.R. 4734. A bill making the birthday of Abraham Lincoln a legal holiday; to the Committee on the Judiciary.

By Mr. DINGELL:

H.R. 4735. A bill to save and preserve, for the public use and benefit, certain portions of shoreline areas of the United States, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. EDMONDSON:

H.R. 4736. A bill to amend title I of the Social Security Act to provide that the first \$50 per month of earned income shall not be taken into account in determining an individual's need for old-age assistance thereunder; to the Committee on Ways and Means.

By Mr. EVERETT:

H.R. 4737. A bill to increase the amount of clerk hire available to each Member of the House of Representatives, to increase the number of employees authorized by each Member of the House of Representatives, and for other purposes; to the Committee on House Administration.

By Mr. FASCELL:

H.R. 4738. A bill vesting in the American Battle Monuments Commission the care and maintenance of the original Iwo Jima Memorial on Mount Surabachi, Iwo Jima Volcanic Islands, Pacific Ocean area; to the Committee on Foreign Affairs.

By Mr. HAGEN of California:

H.R. 4739. A bill to establish a cropland adjustment program; to the Committee on Agriculture.

By Mr. HALPERN:

H.R. 4740. A bill to provide for the establishment of a Veterans' Administration hospital in Queens, Suffolk, or Nassau County, N.Y.; to the Committee on Veterans' Affairs.

By Mr. HARDING:

H.R. 4741. A bill to provide for the disposal of certain Federal property on the Minidoka project, Idaho, Shoshone project, Wyoming, and Yakima project, Washington, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. HARRIS:

H.R. 4742. A bill to amend section 314 of the Public Health Service Act to provide a grant program for the prevention and control of dental diseases, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 4743. A bill to amend section 362(b) of the Communications Act of 1934; to the Committee on Interstate and Foreign Commerce.

By Mr. HIESTAND:

H.R. 4744. A bill to amend section 4200 of the Revised Statutes of the United States so as to eliminate the oath requirement with respect to certain export manifests; to the Committee on Merchant Marine and Fisheries.

By Mr. KYL:

H.R. 4745. A bill to amend section 6(a) of the Virgin Islands Corporation Act; to the Committee on Interior and Insular Affairs.

By Mr. LANGEN:

H.R. 4746. A bill to amend the Agricultural Act of 1949 to provide full parity price

supports with respect to wheat, corn, barley, oats, rye, soybeans, flax, and grain sorghums, and reduced production and surpluses of such crops by voluntary participation and for other purposes; to the Committee on Agriculture.

By Mr. McSWEEN:

H.R. 4747. A bill to establish a cropland adjustment program; to the Committee on Agriculture.

By Mrs. MAY:

H.R. 4748. A bill to provide for the disposal of certain Federal property on the Minidoka project, Idaho, Shoshone project, Wyoming, and Yakima project, Washington, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. MOULDER:

H.R. 4749. A bill to amend the Communications Act of 1934, with respect to the hours of operation of certain broadcasting stations; to the Committee on Interstate and Foreign Commerce.

By Mr. O'BRIEN of New York:

H.R. 4750. A bill to amend section 6(a) of the Virgin Islands Corporation Act; to the Committee on Interior and Insular Affairs.

H.R. 4751. A bill to extend certain authority of the Secretary of the Interior, exercised through the Geological Survey of the Department of the Interior, to areas outside the national domain; to the Committee on Interior and Insular Affairs.

H.R. 4752. A bill to provide that the unincorporated territories of the Virgin Islands and Guam shall each be represented in Congress by a Territorial Deputy to the House of Representatives; to the Committee on Interior and Insular Affairs.

H.R. 4753. A bill to amend section 5 of the War Claims Act of 1948 to provide detention and other benefits thereunder to certain Guamanians killed or captured by the Japanese at Wake Island; to the Committee on Interstate and Foreign Commerce.

H.R. 4754. A bill to amend section 4 of the War Claims Act of 1948 to provide benefits to certain contractors' employees; to the Committee on Interstate and Foreign Commerce.

H.R. 4755. A bill to amend the Internal Revenue Code of 1954 to withhold the tax credit provided under section 3302 from maritime employers in States that do not meet the conditions required by section 3305(f); to the Committee on Ways and Means.

By Mr. OLSEN:

H.R. 4756. A bill to authorize assumption by the various States of civil or criminal jurisdiction over cases arising on Indian reservations with the consent of the tribe involved; to permit gradual transfer of such jurisdiction to the States; and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. ROGERS of Texas:

H.R. 4757. A bill to amend the act of July 3, 1952, and thus to expand and extend the saline water conversion program being conducted by the Secretary of the Interior; to the Committee on Interior and Insular Affairs.

By Mr. ROUDEBUSH:

H.R. 4758. A bill to amend chapter 15 of title 38, United States Code, to provide for the payment of pensions of \$100 per month to World War I veterans, subject to a \$2,400 and \$3,600 annual income limitation; to provide that retirement income such as social security shall not be counted as income; and to provide an allowance for depreciation of property used by self-employed veterans in determining such annual income; to the Committee on Veterans' Affairs.

By Mr. SAYLOR:

H.R. 4759. A bill to amend the act of July 3, 1952, and thus to expand and extend the saline water conversion program being conducted by the Secretary of the Interior; to the Committee on Interior and Insular Affairs.

H.R. 4760. A bill to amend section 6(a) of the Virgin Islands Corporation Act; to the Committee on Interior and Insular Affairs.

By Mr. SCHNEEBELI:

H.R. 4761. A bill to repeal the excise tax on amounts paid for communication services or facilities; to the Committee on Ways and Means.

By Mr. SEELY-BROWN:

H.R. 4762. A bill authorizing certain construction for the protection of the Mystic, Conn., area against hurricane tidal flooding; to the Committee on Public Works.

By Mr. SHEPPARD:

H.R. 4763. A bill to amend title 38, United States Code, to provide for the payment of pensions to veterans of World War I; to the Committee on Veterans' Affairs.

By Mr. SHORT:

H.R. 4764. A bill to amend the National School Lunch Act to provide for a more equitable distribution of funds available under such act, and for other purposes; to the Committee on Education and Labor.

By Mr. SISK:

H.R. 4765. A bill to amend title 39 of the United States Code to establish a 35-hour workweek for postal field service employees, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. STAFFORD:

H.R. 4766. A bill to provide for a program of Federal matching grants to the States to enable the States to provide health insurance for individuals aged 65 or over at subscription charges such individuals can pay; to the Committee on Ways and Means.

By Mr. ASPINALL:

H.R. 4767. A bill to amend section 6(a) of the Virgin Islands Corporation Act; to the Committee on Interior and Insular Affairs.

H.R. 4768. A bill to provide that the unincorporated territories of the Virgin Islands and Guam shall each be represented in Congress by a Territorial Deputy to the House of Representatives; to the Committee on Interior and Insular Affairs.

By Mr. BURKE of Massachusetts:

H.R. 4769. A bill to amend section 5001 of title 38, United States Code, to provide that the number of hospital beds provided for care of veterans shall be increased above the present ceiling of 125,000 to a realistic number commensurate with the requirements of the veteran population of the United States; to the Committee on Veterans' Affairs.

By Mr. COAD:

H.R. 4770. A bill to amend title 38, United States Code, to provide pensions at the monthly rate of \$100 for veterans of World War I; to increase the income limitations applicable to the payment of such pensions; and for other purposes; to the Committee on Veterans' Affairs.

By Mr. RAINS:

H.R. 4771. A bill to provide for the issuance of a special postage stamp in honor of Sequoyah, the famous Cherokee Indian; to the Committee on Post Office and Civil Service.

By Mr. SAYLOR:

H.R. 4772. A bill creating a commission to be known as the Commission on Noxious and Obscene Matters and Materials; to the Committee on Education and Labor.

By Mr. RIVERS of South Carolina:

H.R. 4773. A bill to amend title 10, United States Code, with respect to active duty agreements for Reserve officers, and for other purposes; to the Committee on Armed Services.

H.R. 4774. A bill to amend titles 10 and 32 of the United States Code to provide benefits for nonregular members of the Armed Forces and members of the National Guard disabled from disease, and for other purposes; to the Committee on Armed Services.

H.R. 4775. A bill to amend title 10, United States Code, to permit the crediting of certain service performed prior to attaining the minimum age established for the purpose of determining eligibility for retirement and for

other purposes; to the Committee on Armed Services.

H.R. 4776. A bill to equalize the treatment of Reserves and Regulars in the payment of per diem; to the Committee on Armed Services.

H.R. 4777. A bill to amend the Dependents' Medical Care Act to provide that all retired members of a uniformed service qualify for benefits thereunder; to the Committee on Armed Services.

H.R. 4778. A bill to amend title 10, United States Code, with respect to annuities based on retired or retainer pay, and for other purposes; to the Committee on Armed Services.

H.R. 4779. A bill to provide that those persons entitled to retired pay or retainer pay under the Career Compensation Act of 1949 who were prohibited from computing their retired pay or retainer pay under the rates provided by the act of May 20, 1958, shall be entitled to have their retired pay or retainer pay recomputed on the rates of basic pay provided by the act of May 20, 1958; to the Committee on Armed Services.

H.R. 4780. A bill to define the status of retired members of the Armed Forces, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 4781. A bill to place Naval Reserve Officers' Training Corps graduates (Regulars) in a status comparable with U.S. Naval Academy graduates; to the Committee on Armed Services.

H.R. 4782. A bill to authorize the waiver of collection of certain erroneous payments made by the Federal Government to certain civilian and military personnel; to the Committee on the Judiciary.

H.R. 4783. A bill to grant constructive service to members of the Coast Guard Women's Reserve for the period from July 25, 1947, to November 1, 1949; to the Committee on Merchant Marine and Fisheries.

H.R. 4784. A bill to amend titles 10 and 32, United States Code, to change the terms for which enlistments may be accepted in the National Guard, and for other purposes; to the Committee on Armed Services.

H.R. 4785. A bill relating to withholding for State employee retirement, disability, and death benefit system purposes, on the compensation of certain civilian employees of the National Guard; to the Committee on Armed Services.

H.R. 4786. A bill to provide travel and transportation allowances for members of the National Guard and Reserve components when travel is performed in an active duty or inactive duty training status in compliance with Federal directives; to the Committee on Armed Services.

H.R. 4787. A bill to further amend section 302 of the Career Compensation Act of 1949 and section 7 of the Dependents Assistance Act of 1950 to authorize the payment of a

basic allowance for quarters to an enlisted member of a Reserve component on active duty for training as if he were a member of a Regular component of a uniformed service; to the Committee on Armed Services.

H.R. 4788. A bill to authorize Reserve officers to combine service in more than one Reserve component in computing the 4 years of satisfactory Federal service necessary to qualify for the uniform maintenance allowance; to the Committee on Armed Services.

H.R. 4789. A bill to clarify the deferred or exempt status of persons who enlist in a Reserve component of the Armed Forces; to the Committee on Armed Services.

H.R. 4790. A bill to amend section 709 of title 32, United States Code; to the Committee on Armed Services.

H.R. 4791. A bill to amend title 32, United States Code, with respect to the system of courts-martial for the National Guard not in Federal service; to the Committee on Armed Services.

H.R. 4792. A bill to clarify the status of members of the National Guard while attending or instructing at National Guard schools established under the authority of the Secretary of the Army or Secretary of the Air Force, as the case may be, and for other purposes; to the Committee on Armed Services.

By Mr. ASPINALL:

H. Res. 183. Resolution to create a Select Committee on a National Fuels Study; to the Committee on Rules.

By Mr. BENNETT of Florida:

H. Res. 184. Resolution amending clause 2(a) of rule XI and clause 4 of rule XXI of the Rules of the House of Representatives; to the Committee on Rules.

By Mr. WILSON of Indiana:

H. Res. 185. Resolution to achieve better self-supervision by motion picture and television industries in regard to the moral quality of their products; to the Committee on Interstate and Foreign Commerce.

MEMORIALS

Under clause 4 of rule XXII,

Mr. ALBERT presented a memorial of the Legislature of the State of Oklahoma relative to the economic message transmitted to the Congress by President John F. Kennedy on February 2, 1961; commending President Kennedy for his enlightened and progressive policy regarding the development and improvement of our natural resources, particularly the forest resources of the Nation; directing that copies of this resolution be transmitted to President John F. Kennedy, to Mr. John Koen, and to each Member of the Oklahoma congressional delegation; which was referred to the Committee on Agriculture.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BARRY:

H.R. 4793. A bill for the relief of Mr. and Mrs. Donald R. McLean; to the Committee on the Judiciary.

H.R. 4794. A bill for the relief of Basilia Okal; to the Committee on the Judiciary.

By Mr. COAD:

H.R. 4795. A bill for the relief of Walter J. Johnson; to the Committee on the Judiciary.

By Mr. GOODLING:

H.R. 4796. A bill for the relief of Richard A. Hartman; to the Committee on the Judiciary.

By Mr. HARDING:

H.R. 4797. A bill for the relief of certain aliens; to the Committee on the Judiciary.

By Mr. McDONOUGH:

H.R. 4798. A bill for the relief of Stanley Alexander Yhap and Joycelyn Patricia Wood-Ming Yhap; to the Committee on the Judiciary.

By Mr. MADDEN:

H.R. 4799. A bill for the relief of Ivan Buric; to the Committee on the Judiciary.

By Mr. MOULDER:

H.R. 4800. A bill for the relief of Mr. and Mrs. Clay Curtis; to the Committee on the Judiciary.

By Mr. O'NEILL:

H.R. 4801. A bill for the relief of Dr. Elizabeth Fanning; to the Committee on the Judiciary.

By Mr. POWELL:

H.R. 4802. A bill for the relief of Maurice and Nina Goldman; to the Committee on the Judiciary.

H.R. 4803. A bill for the relief of Vahran Arslanyan; to the Committee on the Judiciary.

H.R. 4804. A bill for the relief of Ethel Lauretta Mason; to the Committee on the Judiciary.

By Mr. THOMPSON of New Jersey:

H.R. 4805. A bill for the relief of Dr. Abraham Arthur Sugarman; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII,

65. Mr. MONAGAN presented a petition of Jacob P. Treclokas, president of the Waterbury-Lithuanian-American Council, and adopted by the Americans of Lithuanian descent in Waterbury, Conn., on February 12, 1961, to commemorate the 43d anniversary of the declaration of independence of Lithuania, which was referred to the Committee on Foreign Affairs.

EXTENSIONS OF REMARKS

Proposal To Reinstate National Service Life Insurance to Veterans of World War II

EXTENSION OF REMARKS

OF

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 22, 1961

Mr. TEAGUE of Texas. Mr. Speaker, on February 16, 1961, the junior Senator

from Louisiana made a statement in connection with a bill he was introducing to reopen the national service life insurance program to veterans with lapsed policies. In his statement the junior Senator said:

Four times in the past 5 years the Senate has passed a measure to allow veterans another opportunity to apply for national service life insurance.

He then inserted in the RECORD the legislative history of the proposal. The legislative history inserted by the junior Senator from Louisiana is incomplete. It is my proposal here to set the record

straight. I feel it is necessary because the junior Senator, in his statement, said:

In every instance, the House of Representatives has stymied action on this measure either because of opposition within the House Veterans' Affairs Committee or the House Rules Committee. The full House membership has never been afforded the chance to vote on the bill.

The significant portion of the legislative history of this proposal, which the junior Senator from Louisiana neglected to include in his summary, is the fact that the Senate Finance Committee,

from which this proposal has originated, has never held a hearing on the bill. In the 84th Congress, the insurance reopening proposal was added, without hearings, to H.R. 7089, an entirely unrelated bill having to do with service-connected benefits for surviving widows and children. In the 85th Congress the national service life insurance reopening proposal was added, without hearings, to H.R. 11382, an unrelated bill pertaining to another insurance question. In the 86th Congress the national service life insurance reopening proposal was added to H.R. 7650, without hearings, an entirely unrelated bill making certain changes in the veterans' pension program. In the 2d session of the 86th Congress it was added to H.R. 11045, without hearings, an unrelated insurance proposal.

There has been substantial opposition to the national service life insurance reopening bill since it was first introduced. It has been opposed by the Veterans' Administration and the Bureau of the Budget, and it is strongly opposed by several other large groups interested in insurance matters. Before criticizing the House Veterans' Affairs Committee and the House of Representatives for its action on this proposal, the junior Senator from Louisiana should look to the procedure of his own committee. This is an important piece of legislation on which there are widely divergent views as to its merit and certainly it justifies proper hearings before being reported by the Senate Finance Committee.

When the bill H.R. 7650, which became Public Law 86-211, the new pension act, was under consideration in the Senate, as I have indicated above, the junior Senator from Louisiana was successful in having this insurance amendment added as a rider. The House subsequently accepted all of the amendments of the Senate to the pension bill, with the exception of the insurance rider on the ground that this matter was not germane, and was totally unrelated to the pension program. The Senate then receded from its position on this amendment and the bill was sent to the White House where it was signed. At the time this action was taken I assured the junior Senator from Louisiana that if this matter was again added as a rider or came over to the House as a separate bill I would not engage in any parliamentary tactics to obstruct or otherwise delay its consideration. I kept my word and brought the matter to the attention of the House when the so-called Long amendment was again added as a rider to H.R. 11045.

As I have indicated above, even though I was opposed to the substance, it was through no fault of mine that there was objection to the unanimous consent for consideration of this bill with the Long amendment.

If this legislation or the so-called Long bill is considered and reported by the other body I will see that it is immediately considered by the Subcommittee on Insurance and the full Committee on Veterans' Affairs after a report from the Veterans' Administration has been received. I will not use any parliamentary device to obstruct or delay this proposal but I do expect it to be

considered on its merits and not as a rider to another bill.

The Committee on Veterans' Affairs has in the 82d, 83d, 84th, 85th, and 86th Congresses held hearings on proposals to reopen the national service life insurance—the substance of the so-called Long bill. In each and every instance the matter has been rejected in the subcommittee, and it should be noted that this was true prior to the time I became chairman of the committee as well as for the period after I assumed the chairmanship. It seems only fair and equitable that those interested in promoting this type of legislation should be willing to follow the normal legislative process in the Congress without criticizing others who, as far as I can see, have discharged their responsibility to the fullest.

The Need for Greater VA Hospital Facilities on Long Island

EXTENSION OF REMARKS OF

HON. SEYMOUR HALPERN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 22, 1961

Mr. HALPERN. Mr. Speaker, I am today introducing a bill in this House providing for the establishment of a Veterans' Administration hospital in Queens, Suffolk, or Nassau County, N.Y.

As a member of the House Veterans' Affairs Committee and its subcommittee on hospitals I am fully cognizant of the vital need for the expansion of veterans hospital facilities in the Nation. As the Representative in this Congress of a district located on Long Island I am especially aware of the woeful lack of such facilities in this particular region. For that reason I call the attention of this House to the introduction of this legislation and the appeal I am making to the Honorable John S. Gleason, Jr., Administrator of the Veterans' Administration:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., February 22, 1961.

HON. JOHN S. GLEASON, JR.,
Veterans' Administration,
Washington, D.C.

DEAR MR. GLEASON: Today I introduced the enclosed bill to provide for the construction of a general medical-surgical hospital for veterans in Queens, Nassau, or Suffolk Counties on Long Island, N.Y. I want to call your attention to the need for such a hospital on Long Island and to the great support for the project among veterans groups.

There are some three and a half million people residing in the three Long Island counties, and the closest medical-surgical hospitals for the treatment of their needs are located in Brooklyn and Manhattan. In some cases they must travel a distance of over 100 miles to such facilities and then find that they are denied admittance due to lack of available beds.

In addition, the lengthy distances deprive the families of veterans who are admitted to the Brooklyn-Manhattan hospitals from making regular visits thereby denying the veterans of the solace and comfort of their families.

As you know, the only veterans hospital located within these three counties is the neuropsychiatric hospital at Northport. For some 13 percent of all veterans in the Nation there is no relatively close general medical-surgical facility. These men are growing older each year and will have greater need for general hospital facilities.

The proposal is backed, to my knowledge, by all the veterans organizations in the area, and both the Veterans' Affairs Committee and myself have received numerous letters and resolutions of support for the project from State and local veterans groups.

I sincerely hope that you will give this project your careful consideration and that a medical-surgical hospital can be built on Long Island to provide for the needs of the 3 million veterans who reside there.

With best wishes and my high regards,
Very sincerely,

SEYMOUR HALPERN.

As the letter to the Administrator states, Mr. Speaker, there is a neuropsychiatric hospital at Northport, Long Island. But, here again, there is a list of 2,500 waiting for admission. Recently the Veterans' Administration has undertaken an expansion and improvement program for Northport. While the Veterans' Administration is to be complimented for recognizing the acute need for this program, Northport provides neuropsychiatric care, and even the eventual completion of the program still leaves Long Island veterans without a surgical-medical hospital.

As our veterans grow older the need for more hospital facilities increases. Realizing this need, and in conjunction with the geographic lack of such facilities on Long Island, I ask that this House give its every attention and consideration to this proposal.

Tribute to Paul Wooton

EXTENSION OF REMARKS OF

HON. FRANK E. SMITH

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 22, 1961

Mr. SMITH of Mississippi. Mr. Speaker, I want to join in the tributes paid to the late Paul Wooton. As a former newspaperman myself, the knowledge of Mr. Wooton's great abilities preceded me to Washington. After I came here, I gained an even greater respect for this outstanding man. Paul Wooton was first of all a true newspaperman who performed his duties with great ability and without bias or prejudice. At the same time, he was a fine gentleman who loved other people and had the great capacity of making friends in all walks of life.

Paul Wooton was known primarily as a correspondent for the New Orleans Times-Picayune and as a Louisianan, but we in Mississippi claimed him also. During all of 1960 he served as president of our Mississippi State Society. He held many high offices and high honors in Washington, but he accepted the obligations and responsibilities of this relatively minor post with the same faithful attention to duty that he gave any other assignment.

Paul Wooton was a great newspaperman, a great American, and a wonderful human being. No wonder so many, from the President down to the humblest one of us, are paying tribute on his passing.

Preference in Procurement for Labor Surplus Areas

EXTENSION OF REMARKS OF

HON. JOHN S. MONAGAN

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 22, 1961

Mr. MONAGAN. Mr. Speaker, in President Kennedy's message of February 2, 1961, which contained his program to restore momentum to the American economy, he referred to a directive which he had sent to the Secretary of Defense, Secretary of Labor, the General Services Administration, and all heads of executive departments and agencies whereby the heads of Federal agencies were directed to give reasonable preference in procurement to labor surplus areas.

This directive moves in the same direction as my bill H.R. 3456, which would require executive departments to consider channeling procurement contracts for new facilities into labor surplus areas.

For the information of the House, I include President Kennedy's Executive order herewith:

THE WHITE HOUSE,
Washington, February 2, 1961.

To the Heads of Executive Departments and Agencies:

In carrying out approved Government programs during the present period of economic slack, we should seek every means consistent with efficiency to accelerate temporarily planned Government procurement, construction and related activities. A particularly high priority should be given to actions which could be taken in time to have an effect on unemployment by this spring and to projects located in areas of labor surplus.

Therefore, you are requested:

1. Immediately to review procurement plans through the end of the current fiscal year and place all planned orders as quickly as possible.

2. To the fullest extent possible within available funds, to speed construction of going public works projects and speed natural resource conservation and development, light construction, maintenance, repair, and other work which can be done or started quickly. New construction starts which have already been funded, but not yet begun, are to be started at the earliest practicable date.

3. To prepare an inventory of construction or other projects which could be accelerated or initiated quickly but for which additional funds might be required.

The Director of the Bureau of the Budget will issue detailed instructions on reporting and other procedures. All reports should be submitted no later than February 25 for assembly and appraisal, and are in turn to be forwarded to me by March 1.

JOHN F. KENNEDY.

plants and processes, nevertheless when taken in conjunction with the President's language in section II(12) of the message which I have described, this marks a giant step forward in guaranteeing fair treatment to depressed areas in the allocation of Government installations and Government jobs.

I do feel, however, that the only way to insure permanence is to enact the bill which I have introduced and I hope that the House will consider this legislation promptly and favorably.

Civil or Criminal Jurisdiction of Cases Arising on Indian Reservations

EXTENSION OF REMARKS OF

HON. ARNOLD OLSEN

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 22, 1961

Mr. OLSEN. Mr. Speaker, I have introduced a bill to authorize assumption by the various States of civil or criminal jurisdiction of cases arising on Indian reservations with the consent of the tribe involved, and to permit gradual transfer of such jurisdiction to the States. My bill is endorsed by the National Congress of American Indians, the Indians' own organization, and has particularly been requested by my own constituents, the Confederated Salish and Kootenai Tribes of the Flathead Reservation, Mont.

This bill would amend the act of August 15, 1953, 67 Stat. 588, commonly known as Public Law 280. Public Law 280 of the 83d Congress has had a disastrous effect upon portions of our Indian population because it provided for the assumption of State jurisdiction by unilateral action. The consent and concurrence of the Indian tribe involved is neither sought nor necessary under Public Law 280.

As an example of the effect of Public Law 280, let us examine the situation on the Omaha Reservation in Nebraska. Public Law 280 specifically provided that the State of Nebraska shall exercise full criminal jurisdiction over all Indian country within the State. Yet, the administration of the criminal laws of Nebraska is the responsibility of the county governments. The counties in which the Omaha Reservation is located refused to assume this jurisdiction. The Federal Government and the Omaha Tribe were deprived of jurisdiction by the act. A lawless area was created by act of Congress. Murdered men have lain in the street within the Omaha Reservation for over 24 hours before police have investigated the crime. This is an extreme but actual example of how Public Law 280 is operating today.

Less spectacular, but equally important, are the problems of juvenile delinquency and enforcement of traffic regulations on Indian reservations. Within my own State, Montana, there is serious question whether State courts have jurisdiction in juvenile proceedings involving

minor Indian children. There is also doubt concerning the jurisdiction of the Montana State Highway Patrol over Indians driving on State and Federal highways within a reservation.

Public Law 280 gives the State the authority to assume jurisdiction with respect to criminal offenses and civil causes of action committed by Indians or arising in Indian country, at such time and in such manner as the State legislature may provide. It is unclear whether the assumption of jurisdiction is an all-or-nothing matter or whether it can be accomplished on a trial or on a gradual basis.

Many States, realizing the problems of assuming full jurisdiction over Indian reservations and uncertain of the legality of partial jurisdiction have refrained from exercising such important jurisdiction as that concerning protective services to Indian children, where some tribes and their local governments would reach an immediate agreement for State jurisdiction if plainly permitted.

My bill would permit piecemeal jurisdiction as the State and tribe concerned shall agree upon from time to time and as experience proves practical and planning may indicate to them advisable. Surely my colleagues in the House of Representatives will agree with me that this is not only a sound and practical approach, it is only the democratic approach.

Since the end of World War II, we have seen many former colonial areas become full-fledged independent nations, and the movement is continuing. In the General Assembly of the United Nations, there is much criticism of the so-called imperialistic powers. The United States of America cannot afford to be imperialistic—nor even imperious, as was Public Law 280, 83d Congress—in dealings with our Indian brothers. We ought not take unilateral action which affects them and the States within which they reside. It behooves the United States to take action affecting their reservations with their consent and concurrence. That is the purpose of my bill.

Downtown Brooklyn Association

EXTENSION OF REMARKS OF

HON. EUGENE J. KEOGH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 22, 1961

Mr. KEOGH. Mr. Speaker, under leave to extend my remarks in the Record, I include the proceedings in connection with the presentation of the 31st Annual Gold Medal of the Downtown Brooklyn Association posthumously to Walter N. Rothschild, former president of Abraham & Straus:

POSTHUMOUS PRESENTATION OF GOLD MEDAL
TO WALTER N. ROTHSCHILD

(Introductory remarks of Andrew S. Roscoe, president of the Downtown Brooklyn Association, and president of the Equitable Savings & Loan Association; and an address by Richard B. Loomis, vice chairman

Although this order could have been more specific in its reference to new

of the Gold Medal Committee of Award, and president of the South Brooklyn Savings Bank, on the occasion of the posthumous presentation of the 31st Annual Gold Medal of the Downtown Brooklyn Association to Mr. Walter N. Rothschild, the late chairman of the board of Abraham & Straus, as well as the response of Mr. Walter N. Rothschild, Jr., who accepted the Gold Medal Award.) Mr. Roscoe's introductory remarks are as follows:

"The late beloved Henry Joralemon Davenport, a founder of the Downtown Brooklyn Association, and its president for 20 years, made a priceless contribution for the betterment of our greater community.

"We will certainly miss his advice, counsel, and guidance, which was so highly respected by all. For many years, Mr. Davenport served as chairman of the Gold Medal Committee of Award. He served as chairman of this committee this year. Perhaps one of the last meetings over which Mr. Davenport presided was that of the Gold Medal Committee.

"Mr. Richard B. Loomis, a distinguished citizen of Brooklyn, and president of the South Brooklyn Savings Bank, has served as vice chairman of the Gold Medal Committee of Award for many years. I am honored to present Mr. Loomis, who will make the presentation of the Gold Medal of 1960."

The address of Mr. Richard B. Loomis is as follows:

"The Annual Gold Medal Award to one of Brooklyn's outstanding citizens has for many years been a most significant part of this meeting of the Downtown Brooklyn Association. It has in the past been a pleasant duty which this year is saddened by the sudden and untimely passing of the leader in so many Brooklyn affairs whose accomplishments we today honor posthumously.

"By this action the name of Walter Rothschild will take fitting place with the 30 previous recipients of this medal who constitute Brooklyn's legion of honor.

"At about the time Walter Rothschild's paternal grandfather, a resident of Alabama, was running the Union blockade with Confederate cotton, his maternal grandfather, Abraham Abraham, was starting a store in Brooklyn which has come to be known by us and throughout the world as Abraham & Straus.

"Into this heritage Walter Rothschild was born in New York City, and in this store in 1913, following graduation from Princeton, he started his business career. He worked in linens, blankets, and boys' clothing, and took time to found and become chairman of the Jewish Big Brothers of Brooklyn.

"After World War I, in which he served as a naval officer, the pace of his business career quickened and his interest in Brooklyn and in the welfare of people deepened.

"Time does not permit a full review of the widespread business, civic, and charitable affairs in which Walter Rothschild played an important part, but their scope may be appreciated from the following:

"In education he was a member of the graduate council of Princeton University, a trustee of Sarah Lawrence College, and chairman, merchants advisory council, New York University School of Retailing.

"In civic affairs he was a member of commission establishing University of State of New York, member of council of State University Medical Center, member of the Citizens Committee for Control of Crime in New York City, member of the finance committee of the Brooklyn Chamber of Commerce, trustee of committee for economic development, director and member of important committees for this Downtown Brooklyn Association, and a member of Lincoln Sesquicentennial Commission by appointment of President Eisenhower.

"In business he was president and chairman of the board of Abraham & Straus, which in his lifetime and under his leader-

ship grew from 10 million transactions in 1913, to 12½ times that number; founder and chairman of the executive committee of the Federated Department Stores, Inc.; director and former chairman of the board of Associated Merchandising Corp.; director of Douglas Gibbons, Inc.; and a trustee of U.S. Trust Co.

"For his wartime services he was awarded the Medal of Freedom With Bronze Palm, the highest War Department civilian decoration for overseas service.

"In philanthropy he was chairman, fundraising, Brooklyn Red Cross; trustee and first chairman of citywide fundraising campaign, Federation of Jewish Philanthropies; Brooklyn chairman, Greater New York Fund; president, the Animal Medical Center; National Citizens Committee, Community Chests of America; director, Welfare Council of New York; member of advisory committee and chairman of Brooklyn Special Gifts, Girl Scouts; Brooklyn Advisory Council, Boy Scouts; member of executive committee, USO; vice president of the National War Fund and New York City War Fund; director of War Prisoners Aid.

"The family of our late fellow member and eminent Brooklyn leader is represented here today by his son, Walter Rothschild, Jr. To them, through him, we present this gold medal of the Downtown Brooklyn Association as an expression of the everlasting gratitude of this association and this community for the long and devoted services of Walter Rothschild, and this scroll which reads—

"The Downtown Brooklyn Association awards posthumously for the year 1960 the association's gold medal for most distinguished service for Brooklyn to Walter N. Rothschild in recognition of his long service and devotion to many humanitarian causes; his interest in and support of the business life, education, cultural and civic betterment of the community of Brooklyn, the city, the State, and the Nation.

"ANDREW S. ROSCOE,
"President.

"RICHARD B. LOOMIS,
"Chairman, Committee of Award."

The response of Walter N. Rothschild, Jr., upon receiving the posthumous gold medal awarded to his father is as follows:

"Mr. Loomis, Mr. Roscoe, ladies and gentlemen, thank you very much for the honor you do my father today, and for the medal which symbolizes the act. As a member of both his physical and his business family, I am grateful for your thoughtfulness and for this recognition of his many endeavors for the borough.

"Dad would be proud of this honor, not because he liked medals or monuments—which he definitely did not—but because this medal represents the fact that the Downtown Brooklyn Association continues to strive for the furtherance of the same aims and goals that were behind it from the beginning, which, incidentally, was at the instigation of dad's father, Simon Rothschild.

"Brooklyn meant a great deal to my father. He went to school at Poly Prep, and many of his best and most enduring friendships dated back to those days. He spent 47 productive and fulfilling and happy years at 422 Fulton Street. For him, Brooklyn was a place of pleasant association and successful endeavor. His personal belief, as A. & S. bears massive testimony, was that Brooklyn and its institutions could grow and prosper. He believed that this city deserved the very best of people and effort, and given that, would give a first-class return on the investment. He believed very fundamentally that the future belongs to those who strike out with courage and boldness and that to stand still is to go backward. Finally, he felt that those who prosper in a community owe in return, a great obligation to that community.

"In this medal we have a tangible recognition of such beliefs and endeavors. It leaves with us the challenge of continuing this fine record of service and accomplishment. We must make certain that this medal continues to have recipients worthy of this high tradition."

DOWNTOWN BROOKLYN ASSOCIATION,
Brooklyn, N.Y., February 8, 1961.

HON. EUGENE J. KEOGH,
Member of Congress of the United States,
House Office Building, Washington, D.C.

MY DEAR CONGRESSMAN: The 31st Annual Gold Medal of the Downtown Brooklyn Association was posthumously presented to Walter N. Rothschild, former president of Abraham & Straus.

I am taking the liberty of forwarding the proceedings of the annual luncheon which was held at the Towers Hotel on Monday, January 30. I would greatly appreciate it if you would honor the Downtown Brooklyn Association by inserting the three addresses treating with the gold medal, into the CONGRESSIONAL RECORD so that this historic occasion will be permanently enrolled in the Library of Congress.

With great appreciation, I am,
Faithfully yours,

ANDREW S. ROSCOE,
President.

FEBRUARY 21, 1961.

Mr. ANDREW S. ROSCOE,
President,
Downtown Brooklyn Association,
Brooklyn, N.Y.

DEAR ANDY: This will acknowledge receipt of your letter of February 8, 1961, together with the enclosure.

I will be pleased to arrange to have the material inserted in the CONGRESSIONAL RECORD at the first opportunity.

With kind regards, I am,
Sincerely yours,

EUGENE J. KEOGH.

Unemployment Compensation

EXTENSION OF REMARKS

OF

HON. BRUCE ALGER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 22, 1961

Mr. ALGER. Mr. Speaker, because I want the Members to have the benefit of all the arguments on the proposal now pending before the Ways and Means Committee to extend unemployment compensation, I would like to include my newsletter of April 1959. Although this newsletter deals with setting Federal standards, it does have some bearing on the current proposal because there is a basic philosophy at issue—whether Federal standards or States rights to determine the kind of programs the people want, shall prevail. There is no quarrel with the unemployment compensation program as now constituted, but it is my conviction that no extension should be forced upon those States where workable programs are now in effect:

WASHINGTON REPORT

(By Congressman BRUCE ALGER, Fifth District, Texas)

APRIL 11, 1959.

The clash of traditional constitutional government of Federal-State prerogatives against ever increasing Federal centralization was never better demonstrated than in the

Unemployment Compensation Act of 1959, during public hearings which are now before the Ways and Means Committee. The proponents of the bill are attempting to prove the bill's stated findings that: (1) States are failing to carry out the purposes and objectives of employment stabilization and security against unemployment; (2) the benefit amounts paid aren't enough; (3) State programs vary, are not uniform in eligibility, amount and duration of benefits. Therefore, to strengthen the economy and provide for the general welfare of the Nation, it is necessary to impose Federal standards on the States. Witnesses testifying included economists, employment experts, business representatives (mostly opposed), and AFL-CIO spokesmen, culminating this week with Mr. George Meany, AFL-CIO president.

Present law continues the original intent of leaving jurisdiction in the States. State legislatures, therefore, have each developed their programs to solve their own unemployment. Employers of four or more pay a tax generally of 3 percent on each employee's first \$3,000 of income. Federal Government requires States to pay in three-tenths of 1 percent of this for Federal administrative costs. States are permitted to charge whatever tax they choose to meet their needs, although all States must extend each employer a reduced tax rate commensurate with the stability of employment in his company. This is called experience rating. In 1958, the estimated average State tax was 1.4 percent; 5 States were paying 2.7 percent, while 12 States were paying less than 1 percent. Each State maintains its own reserve fund and can borrow without interest from the Federal Government. The States have \$7 billion on hand for unemployment contingencies. The legislatures are representative of the people's wishes and the present law is the result of agreement of labor and management at the State level. The very flexibility of State law matches the varying economic patterns and needs of the Nation.

So it is a matter of grave concern to me that labor leaders now attempt to brand the States as failures in this field. Should they succeed in changing the law without providing their allegations with facts, this Nation will have sustained another body blow threatening the very freedom and solvency of every citizen. Consider these facts, in relation to imposing Federal standards: (1) The employer pays all the tax, the employee nothing; (2) we are told we must force the States to broaden eligibility, to increase benefits and duration, regardless of State experience; (3) increased taxes to business means higher costs, thus higher prices to consumers. Labor leaders, therefore, would be cutting everyone's buying power in imposing arbitrary increases; (4) increased taxes and costs to business could force more labor layoff and so more unemployment; (5) the unemployed drawing benefits are over 50 percent without dependents, including seasonal workers, and family members where others in the family work too—so it isn't the family head primarily being helped; (6) actually, we have gone beyond the area of temporary unemployment compensation and are treating welfare and relief on the one hand or the need for more jobs on the other; (7) the increased benefit wages are getting close to the worker's take-home pay; we are placing a premium on idleness and evasion of working, drawing benefits instead; (8) we are asked to forget the judgment of 7,613 State legislators; (9) the most heavily unionized areas, represented by the Detroit mayor and AFL-CIO leaders, are the ones most desiring Federal control. Having the greatest failure in providing jobs, these men plead most for unemployment compensation.

It seems it's time we tried to create new job opportunities locally—not be for Federal

control and aid. Whether new jobs or relief are needed, it's certainly not a guaranteed annual wage for not working. Oddly enough, that seems to be the aim, intended or not. Labor leaders want Federal control—why? So they can straitjacket the Nation? To do what they've done to Michigan—a bankruptcy of economy and ideas? No matter how sincere their intentions, leaders of the 13½ million AFL-CIO workers cannot be allowed to run roughshod over the 67 million labor force—nor should labor leaders get by unquestioned as representatives of 13½ million workers.

I suggested to Mr. Meany that the unemployment compensation Federal standards would defeat his stated purposes to relieve unemployment and increase purchasing power; rather it would do the opposite. The real trouble—beyond the political power of labor leaders over Congressmen—is the Full Employment Act of 1946 which Mr. Meany admittedly likes. This act, through broad language, makes the Federal Government responsible for everyone working, this exceeds the constitutional prerogatives of Federal Government. It should be repealed.

The unemployment compensation debate proves again the failure of some to understand, even recognize, the blessings of the constitutional balance of power between State and Federal Government, and the dangers in destroying this balance.

Reserve Legislation

EXTENSION OF REMARKS

OF

HON. L. MENDEL RIVERS

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 22, 1961

Mr. RIVERS of South Carolina. Mr. Speaker, as chairman of the Subcommittee of the House Armed Services Committee on Reserve Legislation, I am intensely interested in legislation which will increase the morale and thus the effectiveness of members of the services. I am equally interested in insuring that the services treat our Reserves as members of the team.

Every Member of Congress, as well as all citizens of this country, is determined that our Armed Forces will be kept at sufficient strength to deter another world war and will respond with force in situations like that facing us in Laos today. We are also interested in seeing that the morale of the members of the armed services is maintained at the highest level.

We fully realize that the maintenance of our armed strength will mean the outlay of tremendous sums of money. It seems to me that we have been inclined to be very liberal in appropriating money in order to furnish the necessary weapons and missiles necessary to be prepared to prevent a war but we sometimes become parsimonious in appropriations dealing with personnel.

In the last Congress my committee, after long and effective hearings, approved the Reserve Officer Incentive Act. As you know, this bill passed the House but was amended beyond recognition by the Senate in the very last days of the past session. At the present time, approximately 65 percent of the officers on

active duty are Reserve officers. The services are having a difficult time in securing a larger percentage of our best qualified young Reserve officers to remain on extended active duty after completing their obligated tour of service.

The enactment of the Reserve Officer Incentive Act will do more to secure a larger percentage of better qualified officers to request retention on active duty than any other piece of legislation which can be enacted. It will also bring assurance to Reserve officers who have served many years on extended active duty that they will have a reasonable chance of completing their careers.

I am also introducing a new bill, known as H.R. 3364 in the last Congress, that will provide disability coverage for reservists traveling to and from training.

At the present time, two Reserve officers riding from a training session could be in an automobile accident. Due to the accident one of the reservists may be killed and the other disabled for life.

Under a provision of the Survivor Benefits Act, the family of the reservist who is killed receives the same benefits as the survivors of a member of the armed services on active duty. This, I think, is right and just.

However, the reservist who is disabled for life—and must support his family—would receive no disability compensation. This inequity should be corrected.

I am also introducing a bill that will permit the crediting, for the purpose of determining eligibility for retirement, certain service performed prior to attaining the established minimum age.

Due to a ruling of the Comptroller General in June 1960, an individual who volunteered and served on active duty while he was younger than the minimum age limit is permitted to count the time prior to attaining the minimum age for pay purposes but cannot count this time for retirement.

I am also introducing a bill to equalize the treatment of Reserves and Regulars in the payment of per diem for expenses while traveling or away from home station. A bill I introduced in the last Congress—H.R. 3357—would have accomplished this. This bill is being reintroduced.

I am also introducing a bill to amend the Medicare Act, in order to provide that retired reservists will receive the same treatment for medical service as is accorded to Regular retired personnel. This Medicare is to be furnished on space available basis, consequently, it places no extra burden on the service hospitals, nor does it increase the budgetary requirements for medical services in the Armed Forces.

When the Medicare Act was originally under consideration by the Congress the Senate version authorized this service to retired members of the Reserve. Unfortunately, in the conference a provision was added that this benefit was limited to a retired reservist who had completed 8 years of Federal active duty.

I am also introducing a bill to amend the Uniformed Services Contingency Option Act, which would allow members

to make a more intelligent choice in deciding whether to participate in the program established by this act.

In addition to these bills which I have outlined, I am reintroducing several bills which were introduced by various Members of the Congress last year. These bills are:

First. H.R. 11318, recomputation of retired pay, by Mr. KILDAY, of Texas.

Second. H.R. 5195, a bill to amend the Economy Act, dealing with military personnel, by Mr. FOLEY, of Maryland.

Third. S. 733, a bill dealing with Navy ROTC, by Senator THURMOND, of South Carolina.

Fourth. H.R. 4601, a bill to amend the provisions of the Hiss Act, dealing with military personnel, by Mr. MURRAY, of Tennessee.

Fifth. H.R. 7529, a bill to forgive erroneous payments, by Mr. LANE, of Massachusetts.

Sixth. H.R. 7127, a bill dealing with the Coast Guard Women Reserve, by Mr. CHAMBERLAIN, of Michigan.

Needed: A New Bipartisanship

EXTENSION OF REMARKS OF

HON. CLIFFORD P. CASE

OF NEW JERSEY

IN THE SENATE OF THE UNITED STATES

Wednesday, February 22, 1961

Mr. CASE of New Jersey. Mr. President, I ask unanimous consent that an article written by Senator JAVITS, of New York, entitled "Needed: A New Bipartisanship," be printed in the RECORD.

This article was published in the January 23, 1961, edition of the New Republic, and should prove stimulating and interesting to Members of the Senate. Many of us have been considering carefully our role as members of a responsible minority, and this is, in part, Senator JAVITS' theme in an article well worth the time of every Member of Congress and the administration.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

NEEDED: A NEW BIPARTISANSHIP

(By JACOB K. JAVITS, of New York)

(NOTE.—The terms for a "coalition of liberals." Will the growing stresses within Democratic ranks recently discussed in the New Republic by Selig S. Harrison ("Needed: A New Bipartisanship?" October 14, 1960) sooner or later compel heavy reliance by the Kennedy administration on liberal Republicans in Congress? Sooner than one might suppose, says the senior Senator from New York. But to get GOP cooperation the administration must invite it "on the ground floor of program formulation in fields where it expects bipartisan support * * * before it invites support for the finished product." And civil rights legislation, he adds, is a "must for bipartisanship.")

Bipartisan success or partisan failure—this in my view may well be the blunt choice facing the new Kennedy-Johnson administration as it deals with Congress in the coming months. Will it prepare a strictly partisan program and then seek the bipartisan support needed for its enactment, or will it

seek the ideas as well as the support of a liberal coalition? The answer to that question is of immense importance, for should partisan power plays be substituted for a bipartisan approach to key issues, the consequences could be disastrous to our position of peace leadership in the free world and to economic and social progress at home.

Those who see in the appointment of two distinguished Republicans to the Kennedy Cabinet—C. Douglas Dillon as Secretary of the Treasury and Robert S. McNamara as Secretary of Defense—decisive proof of the type of bipartisanship required may be mistaken. Members of the Cabinet operate departments and advise with the President, but the policy they administer is that of the Chief Executive. Whenever their ideas come into final conflict with those of the President, they must expect to be overruled. This alignment of responsibility is absolutely essential to preserve the proper role of the executive under our form of government.

The narrow margin of the Kennedy-Johnson victory and the pickup of additional Republican strength in both Houses normally would tend to intensify partisanship on both sides. When the difference between winning and losing the Presidency is the razor-thin margin of two-tenths of 1 percent of the major party vote, the desire to compile a distinctly Democratic or Republican record of achievement to place before the voters 2 and 4 years hence is very great. And although no one questions his lawful authority, Senator Kennedy by polling a fraction less than half the total popular vote starts his term without the innate advantage President Eisenhower had in his dealings with Congress in 1953 and 1957 immediately after smashing, personal victories at the polls. However, with a Democratic majority of 60 percent in the House and 65 percent in the Senate, the issue of divided government raised so often by Senator Kennedy in the campaign no longer exists. Instead, Senator Kennedy will have to contend with the very serious problem of a divided party with some powerful southern Members in Congress leading an ultraconservative coalition which may be in militant opposition to many measures on which he has pledged action.

The fact is that despite its numerical size, the Democrats really hold a fragile party majority. The Senate is divided into three parts—northern and western Democrats, 41; southern Democrats, 24; and Republicans, 35. To make a majority, considering normal absences, it takes a combination of two of these three elements, or a coalition of northern and western Democrats with some Republicans.

Most significant was the vote of January 11 on amending the Senate rules to end the power of the filibuster to defeat or emasculate legislation. Both 1960 party platforms pledged just such a rules change. However, the Democrats divided, 32 to 31, and the Republicans, 18 to 15, against modifying rule XXII. This division shows very clearly that the fate of legislation in this Congress may be very dependent on whether a conservative or liberal coalition prevails.

One analysis of the North-South Democratic split shows that in the Senate the majority of voting southern Democrats opposed the position of the majority of the voting northern and western Democrats on 40 percent of the 300 rollcalls during the 1960 session. The southern majority was on the winning side on about 1 out of every 3 of these votes, scoring 32 victories in the Senate and 7 in the House. It is no surprise to see Democratic Party unity in Congress disintegrate in a civil rights debate—the northern and southern wing split on 27 civil rights votes last year—but of special interest are the growing number of other major issues which are widening the gap between them.

Last session, a majority of southern Democrats in Congress compiled an eye-opening

voting record in opposition to some vital measures.

Foreign policy: Such a majority in both Houses voted against the authorization and appropriation bills for the mutual security program, and for cutbacks; in the House, such a majority opposed U.S. participation in the vital International Development Association.

Depressed areas: In both Houses, voted against the \$251 million bill later vetoed by the President.

Minimum wage: In both Houses, opposed raising the minimum wage to \$1.25 per hour.

Aid to education: In both Houses, voted against Federal aid either for school construction or to raise teachers' salaries.

Housing: In the Senate, voted against authorizing new funds for public housing, and in the House opposed urban renewal and slum-clearance grants.

Medical care for the aged: In the Senate, voted against the Kennedy-Anderson bill based on social security backed by northern Democrats—and against the Republican voluntary plan to be financed out of general revenues—thus helping to defeat both plans.

WHAT NOT TO DO

Gaged by what happened during the "bottled" congressional session last August, the future for a liberal coalition is not auspicious. Returning as the Democratic candidates, Senators Kennedy and Johnson launched a campaign to pass a much heralded list of "gut" measures intended to be billed as Democratic accomplishments to the voters that fall. The effort ended in dismal failure for all but the ultraconservative coalition. Federal aid to education and the housing bill died in the House Rules Committee. Senator Kennedy did not get a compromise on the \$1.25 minimum wage in conference and it died. Medical care for the great majority of aged was made a partisan issue and both approaches—Democratic and Republican—failed though the Republican approach was reflected in a new program for the medically indigent which could give help to as many as 1 million persons over 65.

The new administration cannot afford to repeat the mistakes of the session last August, for if it does the result will be another rout of the liberals.

The August debate on medical care for the aged was a clear example of what not to do in 1961. Every Democrat was rallied to vote against the alternative plan of medical care for the aged sponsored by me and other liberal Republicans; it received 28 Republican votes and that was all. Then Senator Kennedy, who had refused to yield an inch, realized that he could not win over the Southern Democratic opposition to the "Social Security" medical care for the aged bill introduced by Senator ANDERSON of New Mexico and to which he was committed. He needed some liberal votes. So, just before the vote, he turned to the liberals on the Republican side of the aisle and asked for our support; he told us that a true liberal has to vote for a liberal measure regardless of defect, if it comes down to a choice of that bill or nothing at all for the time being. But liberal Republican views had been neither considered nor reflected in the Kennedy-supported bill. So, understandably, we were not a sympathetic audience. The one Republican vote that the bill backed by Senator Kennedy received had been announced as committed in advance of these remarks—he got no others—and his bill was defeated. The approach of the Democratic leadership in the August session on the medical care for the aged bill sacrificed bipartisanship and with it the opportunity for solid accomplishment at the time of benefit to a majority of the aged.

Nonetheless, it is my conviction that the urgent need for dynamic action to sustain

U.S. peace leadership is so widely recognized by many in both parties that it provides the essential basis for that kind of new bipartisanship discussed in the New Republic by Selig S. Harrison ("Needed—A New Bipartisanship?", October 14, 1960). Despite recent discouragements, I believe we can cooperate in a truly effective bipartisan coalition to enact the kind of measures which the much talked about ultraconservative coalition has successfully blocked in the past. But whether this actually happens depends very largely upon the attitude and policies of the new President and Vice President. If Senators Kennedy and Johnson learned the lessons apparent to many of us last August, they now must recognize that Republican and Democratic views have to be reflected in legislation before a bipartisan coalition can be expected to fight for it.

I can think of no areas in which a bipartisan coalition would prove more fruitful than in those considered the keys to U.S. peace leadership: policies on aid and trade to win the neutralist nations—and effective progress in obtaining equal opportunity and personal dignity for all without regard to race, creed, color, or national origin. A must measure in 1961 for Senate bipartisanship and the new administration is prompt Senate ratification of U.S. membership in the Organization for Economic Cooperation and Development, the most important effort in economic cooperation since the Marshall plan. Through the OECD, the leading industrial nations of Western Europe will be encouraged to invest more of their resources to spur economic progress in the newly developing, largely neutralist areas. The foreign aid responsibility, most of which we have had to carry for so long, will be more equitably distributed among free world governments with a greater likelihood that in size, scope, and nature it can prove more adequate to the task. Indeed, this development should provide a better climate in the Congress for getting increased funds and long-term financing for the Development Loan Fund.

Bipartisanship can make easier the discharge of other heavy responsibilities. U.S. partnership efforts with other nations in regional organizations such as NATO, SEATO, and the Organization of American States need to be implemented in more extensive cultural and educational programs in addition to broader economic policies. We need to support greater authority for the United Nations and greater opportunity for its agencies along the lines, for example, of a permanent U.N. police force. The armed forces of neutrals sent by the U.N. to border between Egypt and Israel and now to the Congo have proved how great is their need to help prevent conditions like those which have previously led to war. Long overdue is the contribution we can make to strengthening the rule of the law in the world through repeal of the Connally reservation to our membership on the International Court of Justice. Although this proposal for repeal always stirs up strong ultraconservative protest, I believe it can be passed by a bipartisan coalition if the Democratic leadership will stand firmly behind it.

In the field of civil rights under President Eisenhower, a Republican-Democratic coalition in Congress enacted at least some part of the administration's civil rights bills in 1957 and 1960. The first act was passed at the start of Eisenhower's second term which he won by a landslide of popular and electoral votes; the second was put through a few months prior to what most thought correctly would be a hotly contested presidential race. Now we are being led to believe that the Kennedy-Johnson administration will not put its weight behind the effort to seek new laws in the Congress more nearly to assure equal opportunity in education, jobs, housing, and other civil rights. We are advised to take into account the con-

siderable impact that the segregation forces in the Democratic Party in Congress can have on a new Democratic administration anxious to put through its program—7 of the 12 chairmanships of major Senate committees are in the hands of southern Democrats. But neither our national nor world situation will allow any such self-delusion—that we can dispense with civil rights legislation at this time. The hard core of resistance in certain areas of the South to the implementation of the Constitution will not be ended by anything less than new laws passed by the Congress. Little Rock was a historic example of the use of the Federal Executive power resulting in the dispatch of troops to prevent interference with a court order to enforce public school desegregation. It was succeeded all too soon by New Orleans and the defiance of Federal law by the authorities of Louisiana.

THE REPUBLICANS AND CIVIL RIGHTS

The North-South schism in the Democratic Party may make this a hard problem for the new administration, but nonetheless new civil rights legislation is a must for the Nation and a must for bipartisanship. President-elect Kennedy ran on a civil rights plank built on many pledges requiring legislative implementation. For example, and I quote from this plank:

"Technical and financial assistance should be given to school districts facing special problems of transition [in desegregating]."

"For this and for the protection of all other constitutional rights of Americans, the Attorney General should be empowered and directed to file civil injunction suits in Federal courts to prevent the denial of any civil rights on grounds of race, creed, or color."

"The new Democratic administration will support Federal legislation establishing a Fair Employment Practices Commission effectively to secure for everyone the right to equal opportunity for employment."

"The new Democratic administration will broaden the scope and strengthen the powers of the present Commission on Civil Rights and make it permanent."

The Republican Party is bound to act legislatively on what is the strongest civil rights plank ever unanimously adopted by a major party. It pledges:

"Legislation to provide that the completion of six primary grades in a State-accredited school is conclusive evidence of literacy for voting purposes."

"Legislation to authorize the Attorney General to bring actions for school desegregation in the name of the United States in appropriate cases, as when economic coercion or threat of physical harm is used to deter persons from going to court to establish their rights."

"Our continuing support of the President's proposal, to extend Federal aid and technical assistance to schools which in good faith attempt to desegregate."

"Continued support for legislation to establish a Commission on Equal Job Opportunity to make permanent and to expand with legislative backing the work being performed by the President's Committee on Government Contracts."

"Opposition to the use of Federal funds for the construction of segregated community facilities."

Because there is no deep ideological division in the Republican Party on civil rights, but just the opposite—a historic identification with the struggle to advance civil rights—the Republicans' role on civil rights can prove decisive in the Congress. This issue is worthy of our best, as it may well go far to determine, in the eyes of the peoples of the newly developing nations, our Nation's moral fitness for world leadership.

The slow pace of desegregation, the overt resistance by State officials to Federal court orders, as in the tense New Orleans case, the challenge to the South of the sit-in move-

ment, the disproportionate number of Negro workers who are hit hard, and hit first, when unemployment rises—these are but some of the compelling domestic reasons why the new administration must not tolerate a token battle for new civil rights legislation this session. At the very least, we must pass legislation to give the Attorney General power to institute suits in representative civil rights cases, including those over school desegregation; to give a statutory base to the Federal Committee on Government Contracts; to obtain equal job opportunities, at least among Government order contractors, and subcontractors, and affected trade unions; to provide technical and financial assistance for school districts seeking to desegregate, notwithstanding obstructionist efforts by their States; and to extend the life of the President's Civil Rights Commission. It is true that in the Senate most of these proposals fell before a Southern Democratic filibuster last year, allowing only a skeleton bill on voting rights to pass. But since then, 17 new nations in Africa alone, have come into existence, in a world where more than 1¼ billion people have skins that are black, yellow, or brown; what concerns us most about them, is that they shall trust in the sincerity of our efforts to help the world's colored races progress. Yet, they cannot be expected to respect fully our leadership until they are positive that we respect them. In this context, any partisan risks which are thought to be involved, should the new administration press for the passage of major civil rights legislation in 1961, must be subordinated to the overriding national interest in maintaining a firm policy of nondiscrimination and equal opportunity.

A BASIS FOR BIPARTISANSHIP

The motivation behind a move by Republicans into a bipartisan coalition must be clearly understood. Simply to limit ourselves to the role of opposition is not compatible with the objectives we want realized for the American people. Republicans of whom I speak do not believe in heavy Federal spending programs as necessarily a miraculous cure-all for economic ailments; but we do see for the Federal Government fulfillment of its legitimate role as a facilitator and cooperater with the private economy in the development of the country, the advancement of individual welfare and human rights, and in meeting our international responsibilities. From that philosophic springboard, such Republicans have developed and supported positive approaches to the critical problems of increasing productivity, housing, health, education, social security, unemployment compensation, civil rights, farm and national resource policies, and foreign policies essential to effective peace leadership. Republicans should continue to originate ideas and proposals in these fields. But since our primary purpose is to see our Republican Party a truly national party of service to the American people, we should welcome the opportunity to increase our contribution to the legislative result still further through effective bipartisan action when it is in order.

Republicans can take great pride in what they have helped to accomplish for this Nation through bipartisanship when they have been the minority as well as the majority in Congress. Senator Arthur Vandenberg led many of his colleagues out of an isolationist wilderness in the early 1940's as bipartisan support helped our country mobilize to wage the war and then the peace. His most signal achievement was congressional approval of the United Nations, reversing the verdict of the 1920's when the Senate rejected the League of Nations. Had the "do nothing" 80th Congress deserved its label, the Marshall plan would not have materialized. It became a reality because the Republican Congress did not sit on its hands and stamp it a partisan proposal. The momentum gained

from our first major economic and military aid venture has been sustained in the 8 Eisenhower years which saw the development of newly generated economic power in Western Europe.

The basis, the need, and the opportunity for bipartisanship in the coming 87th Congress is thus clearly established. The election results and the growing aggressiveness

of the ultraconservatives combine to make liberal programs of the new administration vulnerable. But the sanctions for a coalition of liberals must come from President Kennedy and Vice President JOHNSON to be successful. The new administration would be wise to invite comment and cooperation from the Republicans interested in the bipartisanship I have described on the ground

floor of program formulation in fields where it expects bipartisan support. This should be done before it invites such support for the finished product. Much of the greatness of our Nation resides in our ability in a time of crisis to help define our role of leadership by policy, precept, and precedent at home and abroad through bipartisanship wherever it can prove effective.

HOUSE OF REPRESENTATIVES

THURSDAY, FEBRUARY 23, 1961

The House met at 12 o'clock noon. Rabbi Aaron L. Gottesman, chaplain, Hudson County Institutions, Jersey City, N.J., offered the following prayer:

Almighty God and Father of wisdom and goodness, hear us, we beseech Thee, and bless the President of this beloved land, the Speaker of the House, and every Member of this legislative body. Give them long life, life of peace, life of happiness; above all, life which may prove to be a blessing to our country.

Help us face the tasks and responsibilities of this day with hope, courage, wisdom, and understanding. Kindle our hearts with the spark of Your divine love so that we may realize Your sacred will by being ever loyal to this land of the free and home of the brave.

Enlighten the minds of our leaders; unite and strengthen our Nation in freedom's cause.

Grant, O Lord, that these United States of America may forever serve as a beacon light for liberty-loving people the world over. May brotherhood, freedom, and peace fill our land—as the waters cover the sea.

All this we ask in Your name. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Ratchford, one of his secretaries.

BROTHERHOOD AND WNEW, A SYNONYM

Mr. RYAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RYAN. Mr. Speaker, we are in the midst of the observance of National Brotherhood Week—a time of resolution and dedication to sustain the principles of brotherhood through the year. In 1934 it was proposed that the National Conference of Christians and Jews set aside a special period when people of all faiths in the United States would be invited to promote mutual understanding. National Brotherhood Week has since become the occasion for all Americans

to reaffirm their belief that brotherly interest in each other is not only possible, but indeed necessary.

As we strive to secure for all people equal opportunity in housing, education, employment and every area of community life, laws alone are not sufficient. Changes of heart and mind can only come about through a process of basic education. Everything possible should be done to increase educational efforts to build respect for individual rights and respect for religious differences.

One of the outstanding radio stations of America—WNEW in New York City—has made a particularly valuable contribution in this extremely important field and should be recognized.

Mr. Speaker, I am pleased to point out to my colleagues in the House that station WNEW has again received the annual brotherhood award of the National Conference of Christians and Jews. It received the same award last year and becomes the only radio station ever to be so honored twice.

I heartily congratulate the station—especially Martin Weldon and Lee Hanna—producers and directors—for the production of their award-winning program—an excellent presentation of the issues involved in the proposed Metcalf-Baker bill to prohibit discrimination in housing in New York State. Obviously, discrimination is contrary to the basic tenets of the spirit of brotherhood. The highly desirable award by the National Conference of Christians and Jews was presented to WNEW in recognition of the station's gratifying public service in helping to clarify the issues involved in housing discrimination.

Station WNEW has taken an important lead in educating the listening public in this very sensitive area of human relations.

WKCR, 20 YEARS OF EDUCATIONAL RADIO

Mr. RYAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RYAN. Mr. Speaker, educational radio, especially as practiced by a select group of stations connected with college and university campuses across the Nation, has made a great contribution to our society. It is my hope that under the driving force of the new Kennedy administration, educational radio and television will become an even more potent force for good in the field of mass communication.

I am privileged to bring to your attention today, Mr. Speaker, the fact that

one of the leading educational radio stations in the Nation is about to celebrate its 20th anniversary. I refer to WKCR, located on the campus of Columbia University, in New York City. WKCR deserves congratulations for a job well done—for pioneering in a field which has been overlooked by many of the country's most important institutions of higher education.

James F. Brymer, president of WKCR, has pointed out in a recent letter to alumni of Columbia and other friends of the radio station that the organization started on February 24, 1941, broadcasting to the college dormitories under the auspices of the Columbia University Radio Club. In 1942 the club produced the first experimental FM programs ever broadcast to New York. In 1956, WKCR-FM began operations on low power to the Morningside Heights area.

In 1959 the station received a Federal license to operate as an educational, non-commercial station for the New York metropolitan area, broadcasting on 89.9 megacycles. It has become one of the major educational radio stations in the United States, with effective radiated power output from its FM antenna of 4,200 watts and a primary broadcast range of 75 miles.

WKCR, through President Brymer, has announced that it will hold an open house at the station's seven studios, three control rooms, news room and record library located in Ferris Booth Hall on the Columbia University campus on Thursday, March 2, in commemoration of its 20th anniversary of broadcast activity.

Mr. Speaker, this station and others like it deserve the wholehearted support of the listening public. I am sure you join with me in congratulating WKCR on reaching this milestone in what should be a long history of service.

A HORSE-AND-BUGGY CONGRESS IN A JET AGE

Mr. MEADER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. MEADER. Mr. Speaker, I take this time to advise the House that I propose to discuss in the special order just granted the action of the Committee on Rules on yesterday of bottling up my resolution to authorize committees of the House to telecast and broadcast their public hearings. I shall call this address "A Horse-and-Buggy Congress in a Jet Age."

I would hope that those interested in the rules of the House would take part